

EXHIBIT F

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

Index #: 520434/2016

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GALSTER FUNDING, LLC,

Plaintiff,

-against-

YEHUDA SALAMON, ETTY SALAMON, YIDEL'S
SHOPPING CART, INC. 4921 12TH AVENUE LLC,
YIDELS FRESH FOOD STATION, LLC, YIDELS
ONLINE FOOD STATION, LLC, THE SHOPPING
CART, INC., YIDEL'S GROCERY, INC. and
SIGNATURE BANK,

Defendants.
-----x

50 Court Street
Brooklyn, New York

July 2, 2018

10:00 a.m.

EXAMINATION BEFORE TRIAL of YEHUDA
SALAMON, a Defendant in the above-entitled
action, held at the above time and place,
taken before Shirley Nottes-Werner, a
Notary Public of the State of New York,
pursuant to Court Order and stipulations
between Counsel.

* * *

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<p>1 2 APPEARANCES: 3 4 BUTLER FITZGERALD FIVESON & McCARTHY 5 Attorneys for Plaintiff 6 9 East 45th Street 7 New York, New York 10017 8 BY: DAVID FIVESON, ESQ. 9 File # 3696-06265 10 11 LEVINE & ASSOCIATES 12 Attorneys for Defendants 13 15 Barclay Road 14 Scarsdale, New York 10583 15 BY: MICHAEL LEVINE, ESQ. 16 17 * * * 18 19 20 21 22 23 24 25</p>	<p>1 2 an answer to a question, that's an 3 honest answer, say "I don't know." 4 Okay? 5 THE WITNESS: I'm asking what 6 you said now. 7 MR. FIVESON: If you don't know 8 an answer to a question, and that's an 9 honest answer, tell me you don't know. 10 Okay? 11 THE WITNESS: Yes. 12 MR. FIVESON: I don't want you 13 to guess or assume. Okay? 14 THE WITNESS: Yes. 15 MR. FIVESON: This lady can only 16 take down English, so if you know an 17 answer to a question, please 18 communicate it in English. Don't 19 answer with an uh-huh, a shrug of the 20 shoulders or a nod of the head. Okay? 21 THE WITNESS: Yes. 22 MR. FIVESON: If you need to 23 take a break, go to the men's room, 24 this is not a marathon, tell us you 25 need to take a break and we will take</p>
Page 3	Page 5
<p>1 2 YEHUDA SALAMON, the Witness 3 herein, having first been affirmed by the 4 Notary Public, was examined and testified 5 as follows: 6 MR. FIVESON: Good morning, Mr. 7 Salamon. My name is David Fiveson. I 8 represent the plaintiff, Galster 9 Funding, LLC. 10 Have you ever been deposed 11 before? 12 THE WITNESS: No. 13 MR. FIVESON: So there's certain 14 rules that if you follow, we'll get a 15 clean record and it will make sure 16 there are no errors and we can 17 expedite this. 18 The first rule is that if I ask 19 you a question and you don't 20 understand any portion of the 21 question, tell me you don't 22 understand, I will rephrase it. Okay? 23 THE WITNESS: Yes. 24 MR. FIVESON: I don't want you 25 to guess or assume. If you don't know</p>	<p>1 2 a break. 3 THE WITNESS: Yes. 4 EXAMINATION BY 5 MR. FIVESON: 6 Q. What is your name? 7 A. Yehuda Salamon. 8 Q. Where do you reside? 9 A. 1152 53rd Street, Brooklyn, New 10 York 11219. 11 Q. How long have you resided at 12 1152 53rd Street? 13 A. Long time. 14 Q. What's a long time? 15 A. Um, I don't remember exactly. 16 Q. I'm not asking exactly. Can you 17 tell me approximately how many years 18 you've lived there? 19 A. Twenty-five. 20 Q. Who do you reside there with 21 today? 22 A. My wife. 23 Q. What is your wife's name? 24 A. Etty. 25 Q. E T T Y?</p>

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<p style="text-align: right;">Page 6</p> <p>1 Y. Salamon 2 A. Yes. 3 Q. S A L A M O N? 4 A. Yes. 5 Q. What is Etty's date of birth? 6 A. Why? You want to send flowers? 7 MR. FIVESON: I ask the 8 questions. 9 Q. What's her date of birth? 10 A. 4/7/71. 11 Q. What's your date of birth, sir? 12 A. 1/16/ 72. 13 Q. Do you work today? Are you 14 employed? 15 A. Yes. 16 Q. What do you do? 17 A. Grocery. 18 Q. When you say grocery, what do 19 you mean? You own a grocery store? 20 A. Yes. 21 Q. Do you do business as Yidel's 22 Shopping Cart, Inc.? 23 A. Yes. 24 Q. Is that the grocery store? 25 A. Yes.</p>	<p style="text-align: right;">Page 8</p> <p>1 Y. Salamon 2 A. To the best of my knowledge. 3 Q. Do you hold an office for 4 Yidel's Shopping Cart, Inc.; president, 5 vice president? Do you have an office? 6 A. What do you mean? 7 Q. Who runs this corporation 8 Yidel's Shopping Cart? 9 A. I own. 10 Q. You do? 11 A. Yeah. 12 Q. Is there anybody else that runs 13 it? 14 A. Runs it, no. 15 Q. When you say runs it, you make 16 the day-to-day decisions for Yidel's? 17 A. Yes. 18 Q. Are you the sole stockholder of 19 Yidel's? 20 A. I don't know. I have 21 professionals, my accountant, everything 22 how it's structured. 23 Q. Who is your accountant? 24 A. Hirschfeld (phonetic). 25 Q. Hirschfeld?</p>
<p style="text-align: right;">Page 7</p> <p>1 Y. Salamon 2 Q. Does Yidel's Shopping Cart have 3 a location where it does business as a 4 grocery store? 5 A. Yes. 6 Q. Where? 7 A. Brooklyn. 8 Q. Where in Brooklyn? 9 A. 12th Avenue. 10 Q. What's the address? 11 A. 4921 12th Avenue. 12 Q. That's in Brooklyn? 13 A. Yes. 14 Q. What's the zip code on that? 15 A. 11219. 16 Q. Yidel's Shopping Cart, is that 17 incorporated? I see it's Inc. in your 18 caption? 19 MR. LEVINE: Well, it's your 20 caption. 21 You can answer. 22 Q. Is it a corporation? 23 A. I believe so. 24 Q. You believe it to be a New York 25 corporation?</p>	<p style="text-align: right;">Page 9</p> <p>1 Y. Salamon 2 A. Yes. 3 Q. How do you spell that? 4 A. I don't know. 5 Q. Where is this accountant, 6 Mr. Hirschfeld? 7 A. Williamsburg. 8 Q. What's his first name? 9 A. I call him Mr. I don't know. 10 Q. Does he do the tax returns for 11 Yidel's? 12 A. Yes. 13 Q. Does he do the tax returns for 14 the other entities that are named as the 15 defendants in this action? 16 MR. LEVINE: I think you need to 17 specify that, make sure that he knows 18 who the other defendants are. 19 MR. FIVESON: Thank you, 20 Counselor. 21 MR. LEVINE: You're welcome. 22 Q. You have 4921 12th Avenue, 23 Yidel's Fresh Food Station, Yidel's Online 24 Food Station, The Shopping Cart, Inc., and 25 Yidel's Grocery, Inc. Does he do the tax</p>

<p style="text-align: right;">Page 10</p> <p>1 Y. Salamon 2 returns for those entities or any one of 3 them? 4 A. Some, yes. 5 Q. Do you have any other 6 accountants other than Mr. Hirschfeld in 7 Williamsburg? 8 A. Not that I know of. 9 Q. Does Mr. Hirschfeld prepare the 10 tax returns for Yidel's Shopping Cart? 11 A. I believe so. 12 Q. Do you pay him with a check? 13 A. I believe so. 14 Q. Does he give you an invoice for 15 his services? 16 A. Probably. 17 MR. FIVESON: If I leave a line 18 in the transcript, can you tell me 19 what his address is in Williamsburg? 20 MR. LEVINE: We'll take it under 21 advisement. 22 (Insert) 23 Q. You don't know his address? 24 A. No. 25 Q. Have you ever been to his</p>	<p style="text-align: right;">Page 12</p> <p>1 Y. Salamon 2 Q. What other professionals did you 3 use in connection with Yidel's Shopping 4 Cart? 5 MR. LEVINE: Objection to form. 6 A. Other than Mr. Hirschfeld? 7 MR. LEVINE: Objection to form. 8 You can answer. 9 A. I have a marketing group. 10 Q. Who are they? 11 A. PTX. 12 Q. How do you spell that? 13 A. PTX. 14 Q. Where are they located? 15 A. In Brooklyn. 16 Q. Where in Brooklyn? 17 A. 39th Street. 18 Q. What do they do? 19 A. They help me out with the 20 business. 21 Q. What do they do to help you out 22 with the business? 23 A. The problem is that I don't 24 remember exactly what, because I'm not 25 using them for a long time.</p>
<p style="text-align: right;">Page 11</p> <p>1 Y. Salamon 2 office? 3 A. I was. 4 Q. Where was his office, on what 5 street? 6 A. I don't remember. 7 Q. When was the last time you were 8 at his office? 9 A. I think last year. 10 Q. What was the purpose of you 11 going to his office? 12 A. I don't remember. 13 Q. How long had you used 14 Mr. Hirschfeld as your accountant, how 15 many years? 16 A. A few. 17 Q. What's a few? 18 A. Less than ten. 19 Q. Now, you said you have other 20 professionals that you use in connection 21 with Yidel's Shopping Cart. I asked you 22 if it was a New York corporation and who 23 the shareholders were and you said, I have 24 an accountant and other professionals. 25 MR. LEVINE: Objection to form.</p>	<p style="text-align: right;">Page 13</p> <p>1 Y. Salamon 2 Q. Any other professional groups 3 you used in connection with Yidel's 4 Shopping Cart? 5 A. Nothing that I remember. 6 Q. I can't hear you. 7 MR. LEVINE: He said he doesn't 8 remember. 9 A. I don't remember. 10 Q. Did you use an attorney to 11 organize Yidel's Shopping Cart? 12 A. Probably. 13 Q. Do you recall? 14 A. No. 15 Q. Do you know when Yidel's 16 Shopping Cart was incorporated? 17 A. No. 18 Q. What's your highest level of 19 education? 20 A. I don't understand. 21 Q. Well, did you go to school? 22 A. Yes. 23 Q. What school did you go to? 24 A. UTA. 25 Q. What's UTA?</p>

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<p style="text-align: right;">Page 14</p> <p>1 Y. Salamon 2 A. What it means? 3 Q. What does it mean? 4 A. United Talmudic Academy. 5 Q. United Talmud Medical Academy? 6 A. No, not medical. 7 Q. United Talmud Academy, right? 8 A. Yes. 9 Q. You have to keep your -- 10 MR. LEVINE: Why do we have to 11 raise our voice? 12 MR. FIVESON: Please keep your 13 voice up so she can hear you and so I 14 can hear you. Okay? That was another 15 one of the rules, so we can -- w. 16 THE WITNESS: I think I'm 17 talking loud. 18 MR. FIVESON: Off the record. 19 [Discussion held off the 20 record.] 21 Q. Where is United Talmud Academy? 22 A. In Brooklyn. 23 Q. Where in Brooklyn? 24 A. 53rd Street. 25 Q. And?</p>	<p style="text-align: right;">Page 16</p> <p>1 Y. Salamon 2 A. Eighteen. 3 Q. Did you have any formal 4 education after Nitra? 5 A. No. 6 Q. When did you start taking up 7 employment? 8 A. Then. 9 Q. So right after Nitra you took up 10 employment at 18? 11 A. Yes. 12 Q. What was your first job? 13 A. I helped -- I helped my father. 14 Q. What did your father do? 15 A. He had, um, an electronic 16 business. 17 Q. What is your father's name? 18 A. Moshe. 19 Q. Moshe Salamon? 20 A. Yes. 21 Q. Is he alive today? 22 A. Yes. 23 Q. What's his address? 24 A. Why do you need his address? 25 MR. LEVINE: Come on.</p>
<p style="text-align: right;">Page 15</p> <p>1 Y. Salamon 2 A. And 14th Avenue. 3 Q. And did you graduate from this 4 institution? 5 A. What do you mean graduate? 6 Q. Did you finish? 7 A. When you finish -- I mean, when 8 you're 13 years old you go away. 9 Q. So you went to the United Talmud 10 Academy until you were 13? 11 A. Yes. 12 Q. Did you go to any school after 13 you were 13? 14 A. Yes. 15 Q. Where did you go? 16 A. Mount Kisco. 17 Q. What's in Mount Kisco? 18 A. Yeshiva. 19 Q. What Yeshiva did you go to? 20 A. Nitra, N I T R A. 21 Q. How many years did you spend at 22 Nitra? 23 A. Five. 24 Q. When you finished Nitra, how old 25 were you?</p>	<p style="text-align: right;">Page 17</p> <p>1 Y. Salamon 2 Objection. What's the purpose of 3 that? 4 MR. FIVESON: He may be a 5 witness. I want to know his address. 6 It's just discovery. 7 MR. LEVINE: No. Don't answer 8 that question. 9 Next question. 10 Leave a blank in the transcript 11 and we'll take it under advisement. 12 (Insert) _____ 13 MR. FIVESON: Just so we're 14 clear, I'm going to keep the 15 deposition open for any questions you 16 instruct him not to answer, excluding 17 privilege, of course, Counsel, and I'm 18 going to move that he come back. So 19 that's up to you. 20 MR. LEVINE: Do whatever you 21 think is necessary. 22 MR. FIVESON: I will do whatever 23 I think is necessary. Thank you. 24 MR. LEVINE: Why don't we stick 25 to relevant matters?</p>

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1 Y. Salamon
2 MR. FIVESON: Well, you're
3 deciding what's relevant. The issue
4 is what is discoverable.
5 THE WITNESS: If I have to come
6 back --
7 MR. LEVINE: No, no, no. Just
8 be quiet. Answer the next question.
9 Q. How long did you work in the
10 electronic business with your father?
11 A. (No verbal response.)
12 THE WITNESS: Can I --
13 MR. LEVINE: Just answer.
14 A. I don't remember.
15 Q. Well, can you give me an
16 approximation how many years?
17 A. Two years.
18 THE WITNESS: I want to talk.
19 MR. FIVESON: You want to speak
20 to your lawyer?
21 THE WITNESS: Yes.
22 MR. LEVINE: Step outside for a
23 second.
24 (Short recess was taken.)
25 Q. After you worked with your

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1 Y. Salamon
2 father for two years, what was your next
3 employment?
4 A. I worked with my grandfather.
5 Q. What is your grandfather's name?
6 A. Ely Salamon.
7 Q. Can you spell that, please?
8 A. E L Y, S A L A M O N.
9 Q. Ely Salamon?
10 A. Ely Salamon.
11 Q. Is Ely Salamon alive?
12 A. No.
13 Q. What did you do with your
14 grandfather Ely Salamon for employment?
15 A. He had a grocery and other stuff
16 that I helped him.
17 Q. Was he ever an owner of Yidel's
18 Shopping Cart, Inc.?
19 A. No.
20 Q. What was the location when you
21 worked for your grandfather Ely Salamon?
22 A. 16th Avenue.
23 Q. Where on 16th Avenue?
24 A. 55th Street.
25 Q. What was the address?

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1 Y. Salamon
2 A. 5424 16th.
3 Q. And how long did you work with
4 your grandfather?
5 A. A few years.
6 Q. What's a few?
7 A. Less than five.
8 Q. What was your next employment
9 after with your grandfather?
10 A. On 15th Avenue.
11 Q. What did you do?
12 A. Also grocery.
13 Q. Did you do this on your own or
14 were you with anybody else?
15 A. Someone else.
16 Q. Who did you work with?
17 A. Abramowitz.
18 Q. What's his first name?
19 A. Um, Wolf.
20 Q. Wolf?
21 A. Yes.
22 Q. How long did you work with
23 Mr. Wolf Abramowitz?
24 A. Also a few years.
25 Q. What's a few?

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1 Y. Salamon
2 A. Less than five.
3 Q. Were you a partner with
4 Mr. Abramowitz or were you just an
5 employee?
6 A. Employee.
7 Q. And after you were with
8 Mr. Abramowitz, what did you do?
9 A. I went Yidel's.
10 Q. Then you organized Yidel's --
11 A. Yes.
12 Q. -- is that correct?
13 A. Yes.
14 Q. How long has Yidel's Shopping
15 Cart been in business?
16 A. I don't know because I had a few
17 corporations, so I don't know.
18 Q. Well, has it always been
19 operating at the address 4921 12th Avenue?
20 A. No.
21 Q. What address did it operate at
22 when you first started the business?
23 A. 4913 12th Avenue.
24 Q. And how long was it at that
25 location?

<p style="text-align: right;">Page 22</p> <p>1 Y. Salamon 2 A. A few years. 3 Q. What's a few? 4 A. About five. 5 Q. What was the next location it 6 did business out of? 7 A. 4921 12th. 8 Q. That's where it is today, 9 correct? 10 A. Yes. 11 Q. How long has it been doing 12 business at 4921 12th Avenue? 13 A. I don't remember. 14 Q. Does Yidel's have a lease for 15 that premises? 16 A. I remember so. 17 Q. I can't hear you, sir. 18 A. I remember so. 19 Q. You do? You have a lease? 20 MR. LEVINE: He said he 21 remembers so. 22 Q. Do you know who the landlord is 23 for that premises? 24 A. 4921 12th Avenue. 25 Q. Is 4921 12th Avenue an LLC or a</p>	<p style="text-align: right;">Page 24</p> <p>1 Y. Salamon 2 MR. FIVESON: You can stand. 3 Q. I'm going to show you what's 4 been marked as Exhibit 1, which is an 5 accounting that was filed in this action. 6 MR. LEVINE: Let me see this, 7 please. 8 MR. FIVESON: (Handing.) 9 MR. LEVINE: This is marked as 10 1? 11 MR. FIVESON: It's marked as 1. 12 There's a signature page. I'm going 13 to ask him about it. 14 MR. LEVIN: Okay. 15 Q. Have you ever seen that document 16 before? 17 A. (Perusing.) 18 I saw so many documents, I don't 19 know. 20 Q. You don't recall? 21 A. I don't know which one I saw 22 and -- I don't know what's this. I 23 mean -- 24 MR. LEVINE: It's a yes or no 25 question.</p>
<p style="text-align: right;">Page 23</p> <p>1 Y. Salamon 2 corporation? 3 A. I think it's LLC. 4 Q. Do you have any interest in that 5 entity? Do you own any interest in that 6 entity? 7 A. Yes. 8 Q. What is your interest? 9 A. It's mine. 10 Q. You own it? 11 A. Yes. 12 MR. FIVESON: Can we have this 13 marked as Exhibit 1 and 1A? 14 [The documents were hereby 15 marked as Plaintiff's Exhibits 1 and 16 1A for identification, as of this 17 date.] 18 THE WITNESS: Can I take a 19 break? 20 MR. FIVESON: You want to take a 21 break? Go take a break. 22 (Short recess was taken.) 23 MR. FIVESON: Are you going to 24 stand? 25 THE WITNESS: A little bit.</p>	<p style="text-align: right;">Page 25</p> <p>1 Y. Salamon 2 A. So what? I can't say yes or no. 3 Q. I want to show you what's been 4 marked as Exhibit 1A, which is a 5 certification page. Is that your 6 signature on that document? 7 (Handing.) 8 A. (Perusing.) 9 It looks like my signature. 10 Q. Now, if you look at the first 11 page, there are many defendants listed in 12 this caption. Do you see that? 13 (Indicating.) 14 A. (No verbal response.) 15 Q. Do you understand that these are 16 defendants I'm showing you? 17 (Indicating.) 18 A. (No verbal response.) 19 MR. LEVINE: You're asking him 20 if he sees the list of defendants? 21 MR. FIVESON: Yes. 22 Q. Do you see that? 23 A. I didn't read it yet. 24 MR. LEVINE: Okay. 25 A. (Perusing.)</p>

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<p style="text-align: right;">Page 26</p> <p>1 Y. Salamon 2 Yes. 3 Q. And you see that Etty Salamon is 4 listed as a defendant? 5 A. Yes. 6 Q. And then after Yidel's Shopping 7 Cart as a defendant, there is 4921 12th 8 Avenue, LLC as a defendant. Do you see 9 that? 10 A. Yes. 11 Q. And that's the owner of the 12 premises that leases to Yidel's Shopping 13 Cart; is that correct? 14 A. Yes. 15 Q. And then the next defendant is 16 Yidel's Fresh Food Station, LLC. Do you 17 see that? 18 A. Yes. 19 Q. Do you have any affiliation with 20 that company? 21 A. Yes. 22 Q. What's Yidel's Fresh Food 23 Station, LLC? 24 A. One of the corporations. 25 Q. Where does it do business?</p>	<p style="text-align: right;">Page 28</p> <p>1 Y. Salamon 2 Q. Are you the owner of Yidel's 3 Online Food Station? 4 A. I believe so. 5 Q. What does it do? 6 A. As I said, I don't know how the 7 accountant and the other professionals 8 they structure this. 9 Q. What about The Shopping Cart 10 Inc., do you see that as a defendant? 11 A. Same thing. 12 Q. And that does business at 4921 13 12th Avenue? 14 A. Yes. 15 Q. And you're the owner of that? 16 A. I believe so. 17 Q. And Yidel's Grocery, Inc., are 18 you the owner of that? 19 A. I believe so. 20 Q. That also does business at 4921 21 12th Avenue, correct? 22 A. Yes. 23 MR. FIVESON: Please mark these 24 documents as Plaintiff's Exhibit 2, 2A 25 and 2B for identification.</p>
<p style="text-align: right;">Page 27</p> <p>1 Y. Salamon 2 A. At the 4921 12th. 3 Q. What is its purpose? What does 4 it do at 4921 12th to engage in business? 5 A. I don't know how it was made. 6 Q. So you don't know what Yidel's 7 Fresh Food Station does? 8 A. I don't know how to differ 9 what's what. 10 Q. You don't know how to 11 differentiate between the LLCs? 12 A. Right. 13 Q. Are you a member of Yidel's 14 Fresh Food Station, LLC? 15 A. Yes. 16 Q. Are you the owner? 17 A. I believe so. 18 Q. Is your wife an owner in Yidel's 19 Fresh Food Station, LLC. 20 A. She has nothing to do with any 21 of those corporations. 22 Q. What about Yidel's Online Food 23 Station, LLC, they're another defendant. 24 Do you see that? 25 A. Yes.</p>	<p style="text-align: right;">Page 29</p> <p>1 Y. Salamon 2 [The documents were hereby 3 marked as Plaintiff's Exhibits 2, 2A 4 and 2B for identification, as of this 5 date.] 6 MR. FIVESON: I'm going to show 7 you what's been marked as Exhibit 2, 8 which appears to be a verified answer 9 that was filed in the Beis Chasidei, 10 CHASIDEI, Gorlitz action on 11 January 6, 2017. I will hand it to 12 Counsel to look at. 13 (Handing.) 14 MR. LEVINE: (Perusing.) 15 (Handing.) 16 It's before the witness now. 17 Q: Have you ever seen that 18 document? 19 THE WITNESS: What did he say? 20 MR. LEVINE: He asked if you 21 ever saw that document. I said it's 22 in front of you. 23 A. How should I remember? 24 Q. I want to show you Exhibit 2A. 25 Is that your signature?</p>

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<p>Page 30</p> <p>1 Y. Salamon 2 (Handing.) 3 A. (Perusing.) 4 Looks like my signature. 5 Q. I want to show you 2B. Is that 6 your wife's signature? 7 (Handing.) 8 A. (Perusing.) 9 I don't know. 10 Q. Are you familiar with 11 condominium units C1 and R1 at 4917 12th 12 Avenue? 13 A. I don't understand. 14 Q. Well, are you familiar with the 15 premises condominium units C1 and R1, 16 located at the 4917 12th Avenue 17 condominium? 18 MR. LEVINE: Objection to form. 19 You can answer. 20 A. I don't understand. 21 Q. What about that question don't 22 you understand? 23 A. I don't know what you mean. 24 Q. You don't know what a 25 condominium is?</p>	<p>Page 31</p> <p>1 Y. Salamon 2 MR. LEVINE: Maybe he doesn't 3 don't know what the word familiar 4 means. 5 MR. FIVESON: All right. 6 Q. Do you or any of your companies 7 own units C1 and R1 at the 4917 12th 8 Avenue condominiums? 9 A. Own everything. 10 Q. I'm sorry? 11 A. Own everything. 12 Q. So you own those two units? 13 A. Yes. 14 Q. Who lives in those two units, if 15 anyone? 16 A. I don't remember. 17 Q. Which one of your entities owns 18 those units? 19 A. 4921 12th Avenue, LLC. 20 Q. Have you ever heard the entity 21 Beis, B E I S, Chasidei, C H A S I D E I, 22 Gorlitz, G O R L I T Z? 23 A. Yes. 24 Q. Did that entity ever loan monies 25 to any of the defendants?</p>	<p>Page 32</p> <p>1 Y. Salamon 2 MR. LEVINE: The defendants in 3 this case or the defendants in the 4 Gorlitz case? 5 MR. FIVESON: The defendants in 6 my case. Thank you, Counsel. 7 Q. Defendants listed in Exhibit 1. 8 (Handing.) 9 A. (Perusing.) 10 It's a tough question to answer 11 because it was on and off, questions a few 12 kind of what -- how to structure and what 13 the purpose was for it. 14 Q. But did they loan money? That 15 was the question. 16 A. Yes, but the question was how 17 and for what purpose. 18 Q. I didn't ask how. Was the money 19 loaned by Beis Chasidei Gorlitz to any of 20 the defendants? 21 MR. LEVINE: You can answer that 22 yes. 23 A. Yes. 24 MR. FIVESON: We're going to 25 have this document marked collectively</p>	<p>Page 33</p> <p>1 Y. Salamon 2 as one exhibit. It is an order to 3 show cause for an attachment. It has 4 multiple exhibits attached, and we're 5 going to identify those exhibits 6 individually, but let's mark the 7 entire document as one. 8 Also, I'm telling Counsel that 9 when I go back to my office, I'm going 10 to scan all this in. We're going to 11 e-mail you copies of everything with 12 the exhibit tabs and everything, so 13 you're going to have a full set to 14 yourself. 15 MR. LEVINE: I appreciate that. 16 It's more beneficial to have it at the 17 deposition, but -- 18 MR. FIVESON: I agree with you, 19 but I had a lot of documents to carry. 20 MR. LEVINE: And you had a lot 21 of time. 22 [The documents were hereby 23 marked as Plaintiffs Exhibits 3, 3A 24 and 3B for identification, as of this 25 date.]</p>
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9 (Pages 30 - 33)

<p>Page 34</p> <p>1 Y. Salamon</p> <p>2 Q. What's been marked as 3A appears</p> <p>3 to be a building loan mortgage by 4921</p> <p>4 12th Avenue, LLC to Beis Chasidei Gorlitz,</p> <p>5 dated May 4, 2006. And what's marked as</p> <p>6 3B is a signature page to that mortgage.</p> <p>7 I'd like you to take a look at</p> <p>8 Exhibits 3A and 3B and I'm going to ask</p> <p>9 you whether you signed 3B?</p> <p>10 (Handing.)</p> <p>11 MR. LEVIN: So we're looking at</p> <p>12 3B first, right?</p> <p>13 MR. FIVESON: You can look at 3B</p> <p>14 or 3A. 3A is the cover page of the</p> <p>15 mortgage. 3B is the signature page.</p> <p>16 MR. LEVINE: And the question</p> <p>17 is, is that your signature on 3B,</p> <p>18 correct?</p> <p>19 MR. FIVESON: Thank you. Yes.</p> <p>20 MR. LEVINE: You can answer that</p> <p>21 question.</p> <p>22 A. (Perusing.)</p> <p>23 It looks like.</p> <p>24 Q. Do you recall the amount of that</p> <p>25 building loan mortgage?</p>	<p>Page 35</p> <p>1 Y. Salamon</p> <p>2 A. 13.</p> <p>3 Q. Now, did 4921 12th Avenue borrow</p> <p>4 monies from Galster Funding, LLC?</p> <p>5 A. Yes.</p> <p>6 Q. And did you go to the closing of</p> <p>7 that mortgage?</p> <p>8 MR. LEVINE: Objection to form.</p> <p>9 You can answer.</p> <p>10 A. Yes.</p> <p>11 MR. FIVESON: Please mark this</p> <p>12 as Plaintiff's Exhibit 3C.</p> <p>13 [The document was hereby marked</p> <p>14 as Plaintiff's Exhibit 3C for</p> <p>15 identification, as of this date.]</p> <p>16 Q. I'm going to show you Exhibit</p> <p>17 3C, sir. Is that your signature on that</p> <p>18 document?</p> <p>19 (Handing.)</p> <p>20 A. (Perusing.)</p> <p>21 Looks like.</p> <p>22 Q. Then below you is a Yungreis, am</p> <p>23 I reading that correctly, below your</p> <p>24 signature?</p> <p>25 MR. LEVINE: Hold on a second</p>	<p>Page 36</p> <p>1 Y. Salamon</p> <p>2 (perusing.)</p> <p>3 Q. Yes, it looks like Issac, I S A</p> <p>4 A C, B, Yungreis, Y U N G R E I S, below</p> <p>5 your signature?</p> <p>6 MR. LEVIN: What was the</p> <p>7 question?</p> <p>8 MR. FIVESON: Did he sign that</p> <p>9 in your presence?</p> <p>10 (Indicating.)</p> <p>11 A. I don't know. I don't remember.</p> <p>12 Q. Do you recognize that signature</p> <p>13 as that of Mr. Yungreis?</p> <p>14 A. I don't remember.</p> <p>15 Q. Who is Mr. Yungreis?</p> <p>16 A. Gorlitz.</p> <p>17 Q. What do you mean Gorlitz? Is he</p> <p>18 the president of Gorlitz?</p> <p>19 A. I believe so.</p> <p>20 MR. FIVESON: Please mark this</p> <p>21 as Plaintiff's Exhibit 3D for</p> <p>22 identification.</p> <p>23 [The document was hereby marked</p> <p>24 as Plaintiff's Exhibit 3D for</p> <p>25 identification, as of this date.]</p>	<p>Page 37</p> <p>1 Y. Salamon</p> <p>2 Q. I want to show you what's been</p> <p>3 marked as Plaintiff's Exhibit 3D, which</p> <p>4 appears to be the signature page on a</p> <p>5 February of 2010 forbearance agreement,</p> <p>6 and I ask whether your signature appears</p> <p>7 above the lines Yehuda Salamon?</p> <p>8 (Indicating.)</p> <p>9 A. (Perusing.)</p> <p>10 I don't remember if --</p> <p>11 Q. Is that your signature?</p> <p>12 A. It's similar.</p> <p>13 Q. What about the one, Etty Salamon</p> <p>14 Individually, do you see that signature?</p> <p>15 Is that your wife's signature?</p> <p>16 A. It doesn't look like the one you</p> <p>17 showed me before.</p> <p>18 Q. But is it your wife's signature?</p> <p>19 A. Similar.</p> <p>20 Q. Then there is a signature above</p> <p>21 the name Issac B. Yungreis. Is that</p> <p>22 Mr. Yungreis's signature?</p> <p>23 (Indicating.)</p> <p>24 A. Doesn't look like the one on the</p> <p>25 other.</p>
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10 (Pages 34 - 37)

<p style="text-align: right;">Page 38</p> <p>1 Y. Salamon</p> <p>2 Q. But is that his signatures?</p> <p>3 A. I don't know.</p> <p>4 Q. Was that document signed in your</p> <p>5 presence by Mr. Yungreis?</p> <p>6 A. I don't remember.</p> <p>7 MR. FIVESON: Please mark that</p> <p>8 as Plaintiff's Exhibit 3E, which is a</p> <p>9 cover page to the forbearance</p> <p>10 agreement.</p> <p>11 [The document was hereby marked</p> <p>12 as Plaintiff's Exhibit 3E for</p> <p>13 identification, as of this date.]</p> <p>14 Q. Do you recognize the forbearance</p> <p>15 agreement?</p> <p>16 A. (Perusing.)</p> <p>17 No.</p> <p>18 Q. Just so you're clear, this is</p> <p>19 with Gorlitz. You don't recognize that?</p> <p>20 A. I don't remember it.</p> <p>21 Q. And on the bottom right-hand</p> <p>22 corner of Exhibit 3E there are initials.</p> <p>23 Do any of those initials appear to be your</p> <p>24 initials?</p> <p>25 (Indicating.)</p>	<p style="text-align: right;">Page 40</p> <p>1 Y. Salamon</p> <p>2 Q. They are your initials, but does</p> <p>3 it appear to be in your handwriting, those</p> <p>4 initials?</p> <p>5 A. I don't know.</p> <p>6 Q. You don't know?</p> <p>7 A. No.</p> <p>8 MR. FIVESON: Please mark these</p> <p>9 as Plaintiff's Exhibits 3F and 3G.</p> <p>10 [The documents were hereby</p> <p>11 marked as Plaintiff's Exhibits 3F and</p> <p>12 3G for identification, as of this</p> <p>13 date.]</p> <p>14 Q. I'm going to show you what's</p> <p>15 marked as Plaintiff's Exhibit 3F, and the</p> <p>16 signature page thereof is 3G. My first</p> <p>17 question is whether you recognize the</p> <p>18 document, the mortgage marked as Exhibit</p> <p>19 3F, which purports to be a mortgage</p> <p>20 granted by 4921 12th Avenue to Galster</p> <p>21 Funding, LLC, on August 30, 2016?</p> <p>22 (Handing.)</p> <p>23 A. (Perusing.)</p> <p>24 I have to read this.</p> <p>25 Q. Do you recognize the document?</p>
<p style="text-align: right;">Page 39</p> <p>1 Y. Salamon</p> <p>2 A. (Perusing.)</p> <p>3 I don't think so.</p> <p>4 Q. If you look from 3E, there's</p> <p>5 page 2, behind it page 3, page 4, page 5,</p> <p>6 page 6, page 7, and page 8 and ends in</p> <p>7 Exhibit 3D, which is Exhibit 9. Can you</p> <p>8 tell us whether your initials appear on</p> <p>9 any of those pages in the lower right-hand</p> <p>10 corner?</p> <p>11 MR. LEVINE: Wait. You said 3D</p> <p>12 is Exhibit 9? What does that mean?</p> <p>13 MR. FIVESON: Page 9.</p> <p>14 Q. Do your initials appear on page</p> <p>15 2 behind Exhibit 3E?</p> <p>16 (Indicating.)</p> <p>17 A. (Perusing.)</p> <p>18 Every page every initial looks</p> <p>19 different way.</p> <p>20 MR. LEVINE: Just answer his</p> <p>21 question. Are those your —</p> <p>22 Q. Are those your initials on the</p> <p>23 bottom right-hand corner?</p> <p>24 A. My initials, but I don't know if</p> <p>25 I signed it.</p>	<p style="text-align: right;">Page 41</p> <p>1 Y. Salamon</p> <p>2 MR. LEVINE: He asked you if you</p> <p>3 recognize it. Read the whole thing</p> <p>4 and see if you recognize it.</p> <p>5 A. (Perusing.)</p> <p>6 It's hard to read. It's not</p> <p>7 clear.</p> <p>8 MR. LEVINE: Do the best you</p> <p>9 can.</p> <p>10 A. It's not that I don't recognize</p> <p>11 it, I can't read it. See, it's not clear.</p> <p>12 (Indicating.)</p> <p>13 Q. Are you reading the document?</p> <p>14 A. Yes. It's very hard to read.</p> <p>15 MR. LEVINE: Do you want to</p> <p>16 withdraw the question?</p> <p>17 MR. FIVESON: No. I want to</p> <p>18 know if he recognizes the document.</p> <p>19 If he feels he has to read every word,</p> <p>20 then let him read every word.</p> <p>21 A. (Perusing.)</p> <p>22 MR. LEVINE: On the record, I</p> <p>23 think you described 3F as the cover</p> <p>24 page.</p> <p>25 MR. FIVESON: Well, now he's</p>

11 (Pages 38 - 41)

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1 Y. Salamon
2 reading the mortgage, right?
3 MR. LEVINE: My question is, did
4 you intend it to mean the entire
5 document?
6 MR. FIVESON: Not yet. I
7 described that page as that is the
8 cover page, and then I asked him if he
9 recognizes the mortgage.
10 MR. LEVINE: So you're asking
11 him if he recognizes the entire
12 document?
13 MR. FIVESON: Yes.
14 MR. LEVINE: Go ahead.
15 A. (Perusing.)
16 I don't recognize it.
17 Q. You don't?
18 A. (No verbal response.)
19 Q. I'm sorry?
20 A. No.
21 MR. FIVESON: I'm sorry. Can
22 you read the last two questions and
23 answers, please?
24 [The requested portion of the
25 record was read.]

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1 Y. Salamon
2 Q. I'm showing you Exhibit 3G. Is
3 that your signature on that document?
4 (Handing.)
5 A. (Perusing.)
6 It looks like mine.
7 MR. FIVESON: Please mark these
8 Plaintiff's Exhibits 3H and 3I for
9 identification.
10 [The documents were hereby
11 marked as Plaintiff's Exhibits 3H and
12 3I for identification, as of this
13 date.]
14 Q. Mr. Salamon, I'm going to show
15 you 3H, which appears to be the May 4,
16 2006 note to Gorlitz for a million, two;
17 and GI, which appears to be the signature
18 page. Do you recognize that 3H as the
19 note?
20 (Handing.)
21 MR. LEVINE: Objection to form.
22 You can answer the question.
23 A. No.
24 Q. Does your signature appear on
25 3I?

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1 Y. Salamon
2 A. (Perusing.)
3 Similar.
4 MR. FIVESON: Please mark these
5 as Plaintiff's Exhibits 3J and 3 K.
6 [The documents were hereby
7 marked as Plaintiff's Exhibits 3J and
8 3K for identification, as of this
9 date.]
10 Q. Mr. Salamon, I'm going to show
11 you Exhibit 3J, which appears to be a May
12 4, 2006 consolidated and restated note for
13 a million, three, to Gorlitz; and 3K,
14 which appears to be the signature page. I
15 ask you, do you recognize 3J as the
16 restated note?
17 MR. LEVINE: Objection to form.
18 A. (Perusing.)
19 Looks similar.
20 Q. Do you recognize your signature
21 on 3K?
22 A. (Perusing.)
23 I don't recognize, but similar.
24 Q. Now, how did it become aware
25 that Galster Funding had monies to loan

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1 Y. Salamon
2 4921 12th Avenue?
3 MR. LEVINE: Who do you mean by
4 "it"?
5 MR. FIVESON: How did he or any
6 of his other 4921 12th Avenue first
7 become aware that Galster had monies
8 available to loan monies to them?
9 MR. LEVINE: Okay.
10 A. Through a broker.
11 Q. Who was the broker?
12 A. It was more than one broker. It
13 was -- it went through a few. I don't
14 know how the connection was.
15 Q. Tell me whatever brokers you
16 understood were involved in placing this
17 loan.
18 A. I dealt with someone -- I don't
19 remember his name.
20 Q. Was it more than one broker?
21 A. No, I dealt with one.
22 Q. And you don't remember the name
23 of the broker or the entity that you dealt
24 with?
25 A. Right.

<p style="text-align: right;">Page 46</p> <p>1 Y. Salamon</p> <p>2 Q. Do you know the address of this</p> <p>3 entity or broker?</p> <p>4 A. No.</p> <p>5 Q. Do you have any documents that</p> <p>6 would identify this entity or broker?</p> <p>7 A. I don't know.</p> <p>8 Q. Had you used this entity or</p> <p>9 broker prior to the August 30, 2016 loan</p> <p>10 with Galster?</p> <p>11 A. No.</p> <p>12 Q. How were you introduced to this</p> <p>13 broker?</p> <p>14 A. I'm thinking who told me. Um, I</p> <p>15 had constantly people calling me offering</p> <p>16 me to take a mortgage. I mean, I'm trying</p> <p>17 to think who told me. I don't remember.</p> <p>18 Q. Had you ever used this broker</p> <p>19 prior to the August 30, 2016 loan with</p> <p>20 Galster Funding?</p> <p>21 MR. LEVINE: Just give me one</p> <p>22 second. I'm sorry.</p> <p>23 MR. FIVESON: Sure. Let's take</p> <p>24 a break. Hold that question.</p> <p>25 (Short recess was taken.)</p>	<p style="text-align: right;">Page 48</p> <p>1 Y. Salamon</p> <p>2 Q. Were you present?</p> <p>3 A. Yes.</p> <p>4 Q. Where did the Galster Funding,</p> <p>5 LLC loan close on August 30, 2016?</p> <p>6 A. Manhattan.</p> <p>7 Q. Do you know the address?</p> <p>8 A. No.</p> <p>9 Q. Was 4921 12th Avenue represented</p> <p>10 by counsel at that closing?</p> <p>11 A. Yes.</p> <p>12 Q. Who was its counsel?</p> <p>13 A. Daniel Muller.</p> <p>14 Q. What is Mr. Muller's address, do</p> <p>15 you know?</p> <p>16 A. No.</p> <p>17 Q. Had you used Mr. Muller prior to</p> <p>18 this closing for transactions on behalf of</p> <p>19 yourself or any of your business entities?</p> <p>20 A. No.</p> <p>21 Q. How was it that you selected</p> <p>22 Daniel Muller to represent 4921 12th</p> <p>23 Avenue in this closing?</p> <p>24 A. He was available that date.</p> <p>25 Q. What firm is Mr. Muller with?</p>
<p style="text-align: right;">Page 47</p> <p>1 Y. Salamon</p> <p>2 MR. FIVESON: Please mark these</p> <p>3 as Plaintiff's Exhibit 4, 4A and 4B</p> <p>4 for identification.</p> <p>5 [The documents were hereby</p> <p>6 marked as Plaintiff's Exhibits 4, 4A</p> <p>7 and 4B for identification, as of this</p> <p>8 date.]</p> <p>9 MR. FIVESON: Please mark that</p> <p>10 as Plaintiff's Exhibits 5 and 5A.</p> <p>11 [The documents were hereby</p> <p>12 marked as Plaintiff's Exhibits 5 and</p> <p>13 5A for identification, as of this</p> <p>14 date.]</p> <p>15 A. If I don't remember who the</p> <p>16 broker is, then how should I remember if I</p> <p>17 used him? I don't. I'm trying to think</p> <p>18 who it was.</p> <p>19 Q. Was the broker present at the</p> <p>20 closing?</p> <p>21 MR. LEVINE: The closing of the</p> <p>22 Galster loan?</p> <p>23 MR. FIVESON: Correct.</p> <p>24 Q. On August 30, 2016?</p> <p>25 A. I don't think so.</p>	<p style="text-align: right;">Page 49</p> <p>1 Y. Salamon</p> <p>2 A. I don't know.</p> <p>3 Q. Did you pay Mr. Muller, meaning</p> <p>4 you or 4921 12th Avenue or any of your</p> <p>5 entities, pay Mr. Muller for his services</p> <p>6 rendered on August 30, 2016?</p> <p>7 A. Yes.</p> <p>8 Q. Was that by check?</p> <p>9 A. I don't remember.</p> <p>10 Q. Did Mr. Muller ever give to you</p> <p>11 copies of documents that were generated or</p> <p>12 exchanged at that closing?</p> <p>13 A. I don't remember.</p> <p>14 Q. Did you search your files prior</p> <p>15 to testifying today to deliver to your</p> <p>16 counsel, Mr. Levine, all the closing</p> <p>17 documents that you have in your possession</p> <p>18 regarding the August 30, 2016 closing?</p> <p>19 A. I gave him what he asked for. I</p> <p>20 don't remember what I gave him.</p> <p>21 Q. Whatever he asked for, you</p> <p>22 searched your records and you gave him</p> <p>23 what was responsive?</p> <p>24 A. If I have, yes.</p> <p>25 Q. You searched not only your</p>

13 (Pages 46 - 49)

<p style="text-align: right;">Page 50</p> <p>1 Y. Salamon</p> <p>2 personal records, but those of all the</p> <p>3 defendants in this action including</p> <p>4 Yidel's Shopping Cart, 4921 12th Avenue,</p> <p>5 LLC, Yidel's Fresh Food Station, Yidel's</p> <p>6 Online Food Station, LLC, The Shopping</p> <p>7 Cart, Inc., and Yidel's Grocery, correct?</p> <p>8 A. Yes.</p> <p>9 Q. Now, I want to show you what I</p> <p>10 marked in the break as Exhibit 4, which</p> <p>11 appears to be a copy of the August 30,</p> <p>12 2016 mortgage from 4921 12th Avenue, LLC,</p> <p>13 to Galster Funding; and Exhibits 4A and</p> <p>14 4B, which appear to be signature pages.</p> <p>15 First I ask you, do you recognize the</p> <p>16 document Exhibit 4, as that mortgage?</p> <p>17 (Handing.)</p> <p>18 A. (Perusing.)</p> <p>19 MR. LEVINE: When you say</p> <p>20 mortgage, you mean mortgage and</p> <p>21 recording cover sheet, correct?</p> <p>22 MR. FIVESON: Yes.</p> <p>23 A. (Perusing.)</p> <p>24 Recognize, you mean if I know</p> <p>25 about it?</p>	<p style="text-align: right;">Page 52</p> <p>1 Y. Salamon</p> <p>2 A. I believe so.</p> <p>3 Q. You signed 4A at the closing</p> <p>4 before a notary, Ira Newman. Do you see</p> <p>5 that?</p> <p>6 (Indicating.)</p> <p>7 A. Yes.</p> <p>8 Q. Do you recall Mr. Newman?</p> <p>9 A. No.</p> <p>10 Q. Do you recall a notary being</p> <p>11 present at that closing?</p> <p>12 A. I don't remember.</p> <p>13 Q. Now, let me go to Exhibit 5,</p> <p>14 which appears to be the August 30, 2016</p> <p>15 mortgage note for six-and-a-half million</p> <p>16 dollars, from 4921 12th Avenue to Galster</p> <p>17 Funding, that's Exhibits 5. And 5A is the</p> <p>18 signature page. Do you recognize Exhibit</p> <p>19 5 as the mortgage note granted to Galster</p> <p>20 Funding?</p> <p>21 (Handing.)</p> <p>22 A. (Perusing.)</p> <p>23 Looks like.</p> <p>24 Q. And Exhibit 5A is your</p> <p>25 signature?</p>
<p style="text-align: right;">Page 51</p> <p>1 Y. Salamon</p> <p>2 Q. Do you know what it is? Is that</p> <p>3 the mortgage?</p> <p>4 A. Looks like.</p> <p>5 Q. That you gave to Galster</p> <p>6 Funding?</p> <p>7 MR. LEVINE: You can answer that</p> <p>8 question.</p> <p>9 THE WITNESS: You didn't tell me</p> <p>10 it's going to take so long.</p> <p>11 MR. LEVINE: Just answer the</p> <p>12 question.</p> <p>13 A. (Perusing.)</p> <p>14 MR. LEVINE: The question is, is</p> <p>15 that the mortgage to Galster?</p> <p>16 A. Looks like.</p> <p>17 Q. And does your signature appear</p> <p>18 on pages 4A and 4B?</p> <p>19 (Handing.)</p> <p>20 A. (Perusing.)</p> <p>21 MR. LEVINE: Wait.</p> <p>22 Yes, go ahead.</p> <p>23 A. Looks like.</p> <p>24 Q. Did you sign this document at</p> <p>25 the closing?</p>	<p style="text-align: right;">Page 53</p> <p>1 Y. Salamon</p> <p>2 A. Looks like.</p> <p>3 Q. How long did the closing take at</p> <p>4 the office in Manhattan on August 30,</p> <p>5 2016?</p> <p>6 A. I don't remember.</p> <p>7 Q. Did you arrive at the closing</p> <p>8 yourself or did you arrive with someone</p> <p>9 else or anyone else?</p> <p>10 A. Myself.</p> <p>11 Q. Did you have any e-mail</p> <p>12 communications with anyone regarding this</p> <p>13 closing? I'm not asking for the content</p> <p>14 yet. I just want to know if there were</p> <p>15 any e-mail communications?</p> <p>16 A. I don't think so.</p> <p>17 Q. And when I say with anyone, I'm</p> <p>18 including either your broker, the lawyer</p> <p>19 for Galster Funding, anybody at Galster</p> <p>20 Funding, any closing or title agent, were</p> <p>21 there any such communications by e-mail</p> <p>22 prior to this closing by you?</p> <p>23 A. I don't remember.</p> <p>24 Q. Did you search your files to</p> <p>25 determine whether you're in possession of</p>

14 (Pages 50 - 53)

<p>Page 54</p> <p>1 Y. Salamon</p> <p>2 any such e-mail communications?</p> <p>3 A. Anything that I had I provided</p> <p>4 for my lawyer.</p> <p>5 Q. For your attorney?</p> <p>6 A. Yeah.</p> <p>7 Q. Now, at the time when you</p> <p>8 arrived at the closing on August 30, 2016,</p> <p>9 were you aware that there was a prior</p> <p>10 recorded mortgage granted to Gorlitz</p> <p>11 against the premises?</p> <p>12 A. I don't understand the question.</p> <p>13 Q. Well, this Exhibit 4, this</p> <p>14 mortgage, grants a mortgage to Galster</p> <p>15 Funding against condominium units C1 and</p> <p>16 R1 at 4917 12th Avenue, correct?</p> <p>17 A. Yes.</p> <p>18 Q. And you understood that,</p> <p>19 correct?</p> <p>20 A. Yes.</p> <p>21 Q. Before or prior to you going to</p> <p>22 the closing on August 30, 2016, was there</p> <p>23 a recorded mortgage against that property</p> <p>24 previously granted to Gorlitz?</p> <p>25 A. Yes.</p>	<p>Page 55</p> <p>1 Y. Salamon</p> <p>2 Q. And you knew that before you</p> <p>3 went to the closing, correct?</p> <p>4 A. Yes.</p> <p>5 Q. Did you also understand that as</p> <p>6 a condition of Galster loaning you</p> <p>7 six-and-a-half million dollars, that prior</p> <p>8 mortgage had to be either satisfied or</p> <p>9 paid off?</p> <p>10 A. Yes.</p> <p>11 Q. You understood that, correct?</p> <p>12 A. Yes.</p> <p>13 Q. And you understood that 4921</p> <p>14 12th Avenue was granting Galster a first</p> <p>15 mortgage on those two units?</p> <p>16 A. Yes.</p> <p>17 Q. Do you understand what a first</p> <p>18 mortgage is?</p> <p>19 A. Yes.</p> <p>20 Q. What is your understanding of a</p> <p>21 first mortgage?</p> <p>22 A. There is no other.</p> <p>23 Q. Prior mortgages recorded against</p> <p>24 the unit, correct?</p> <p>25 A. Yes, yes.</p>	<p>Page 56</p> <p>1 Y. Salamon</p> <p>2 Q. Had you or anyone on your behalf</p> <p>3 had communications with Gorlitz regarding</p> <p>4 obtaining a satisfaction of its mortgage</p> <p>5 that had been recorded against the two</p> <p>6 premises?</p> <p>7 A. Yes.</p> <p>8 Q. And you had these communications</p> <p>9 prior to the closing on August 30, 2016?</p> <p>10 A. Yes.</p> <p>11 Q. Now, I'm not asking you what you</p> <p>12 spoke to your lawyer about, that was</p> <p>13 Mr. Muller, I think you said?</p> <p>14 A. Yes.</p> <p>15 Q. So I'm not asking you that. I</p> <p>16 want to know who you spoke with before you</p> <p>17 went to the closing other than your</p> <p>18 attorney, Mr. Muller, about getting a</p> <p>19 satisfaction of that Gorlitz mortgage?</p> <p>20 MR. LEVINE: Let me clarify one</p> <p>21 thing. When you say before you went</p> <p>22 to the closing, you mean at any point</p> <p>23 in time?</p> <p>24 MR. FIVESON: Correct.</p> <p>25 MR. LEVINE: Not that day?</p>	<p>Page 57</p> <p>1 Y. Salamon</p> <p>2 MR. FIVESON: Correct. I will</p> <p>3 discuss at that day a different line</p> <p>4 of questioning, correct.</p> <p>5 MR. LEVINE: So you understand</p> <p>6 it's at any time --</p> <p>7 Q. I'm not asking what you spoke to</p> <p>8 your lawyer about, okay?</p> <p>9 MR. LEVINE: He's asking at any</p> <p>10 time, did you have a conversation --</p> <p>11 Q. Before you went to that closing?</p> <p>12 A. Yes.</p> <p>13 Q. You?</p> <p>14 A. Yes.</p> <p>15 Q. You spoke?</p> <p>16 A. Yes.</p> <p>17 Q. Who did you speak with?</p> <p>18 A. Yungreis.</p> <p>19 Q. That's Mr. Yungreis at Gorlitz?</p> <p>20 A. Yes.</p> <p>21 Q. Was this on the phone or was</p> <p>22 this by e-mail? How did you communicate</p> <p>23 with him regarding getting a satisfaction</p> <p>24 of the mortgage?</p> <p>25 A. In person.</p>
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<p>Page 58</p> <p>1 Y. Salamon 2 Q. You were face-to-face? 3 A. Face-to-face. 4 Q. Just like I'm with you? 5 A. Yes. 6 MR. FIVESON: Please mark this 7 black and white photo as Plaintiff's 8 Exhibit 6. 9 [The photograph was hereby 10 marked as Plaintiff's Exhibit 6 for 11 identification, as of this date.] 12 Q. Do you recognize who is depicted 13 in the photograph Exhibit 6? 14 (Handing.) 15 A. (Perusing.) 16 Yes. 17 Q. Who is that? 18 A. Yungreis. 19 Q. Mr. Yungreis is the person with 20 the long beard? 21 A. Yes. 22 Q. The older gentleman? 23 A. Yes. 24 Q. Who is the other person depicted 25 in the photograph?</p>	<p>Page 60</p> <p>1 Y. Salamon 2 we need to take -- we have it on the 3 Gorlitz and make the satisfaction in order 4 for us to continue with the mortgage. So 5 I told Mr. Yungreis. 6 Q. So you understood that the note 7 to Gorlitz and Yungreis had been paid off? 8 A. Yes. 9 Q. That was your understanding? 10 A. Yes. 11 Q. And a few days before the 12 closing with Galster, you learned from 13 your lawyer that the mortgage had not been 14 taken off of record? 15 A. Right. 16 Q. You understand that? 17 A. Yes. 18 Q. When I say "of record," you 19 understand a mortgage gets recorded in the 20 City Registrar's Office? 21 A. Yes. 22 Q. You understand that? 23 A. Yes. 24 Q. You met with Mr. Yungreis a few 25 days before the August 30, 2016 closing to</p>
<p>Page 59</p> <p>1 Y. Salamon 2 A. Me. 3 Q. When was that photograph taken, 4 do you recall? 5 A. I know where it is, but when? 6 MR. LEVINE: He asked you when 7 was it taken, if you know. 8 A. Yes. 9 Q. When? 10 A. He put on a mezuzah on the door. 11 (Indicating.) 12 Q. But was it taken a month ago, a 13 year ago, ten years ago? 14 A. No, probably five to ten years 15 ago. 16 Q. Now, when did this discussion 17 with yourself and Mr. Yungreis 18 face-to-face occur regarding obtaining a 19 satisfaction of the Gorlitz mortgage? How 20 many days, months or years prior to the 21 closing? 22 A. A few days before I knew that it 23 was paid off and I don't have. It was 24 taken care of. But my attorney, Muller, 25 told me that it's not taken care of. So</p>	<p>Page 61</p> <p>1 Y. Salamon 2 get a satisfaction of the Gorlitz 3 mortgage? 4 A. Right. 5 Q. You understand that? I'm not 6 telling you. I'm asking you. 7 A. Yes. 8 Q. You agree with that? 9 A. Yes. 10 Q. That's the truth? 11 A. Yes. 12 Q. Where did you meet with 13 Mr. Yungreis? 14 A. At his home. 15 Q. And where is his home? 16 A. 42nd Street and 15th Avenue. 17 Q. What time of day did you meet 18 with him? 19 A. I don't remember. 20 Q. Did you call him and tell him 21 you're coming over or e-mail him to say, 22 look, I'm coming over? I'm giving a 23 suggestion, I'm not telling you 24 word-for-word. But did you tell him that 25 you were coming over to discuss this issue</p>

16 (Pages 58 - 61)

<p style="text-align: right;">Page 62</p> <p>1 Y. Salamon 2 with him? 3 A. I don't remember. He came into 4 the store sometimes. And sometimes he 5 called me. Sometimes -- I don't know. I 6 don't remember. I can't recall how it 7 started. 8 Q. Now, when you met with him at 9 his home, was anyone at the home that saw 10 you there on that occasion; maybe his 11 wife, his daughter, maybe a neighbor, 12 anybody? 13 A. I don't remember. 14 Q. You don't remember seeing any 15 people present in the home when you were 16 in the home? 17 A. I don't remember. I mean, it's 18 not that I didn't see. I don't know. 19 Q. Did you actually go into his 20 home to discuss this matter? 21 A. Yes. 22 Q. Do you recall where within his 23 home you discussed this matter; was it the 24 kitchen, the hallway, the bedroom, the 25 study?</p>	<p style="text-align: right;">Page 64</p> <p>1 Y. Salamon 2 from the synagogue on the first floor? 3 A. Yes. 4 Q. And what's on the second floor? 5 A. His residence. 6 Q. Is there a third floor to this 7 building? 8 A. Yes. 9 Q. What's on the third floor? 10 A. Also his residence. 11 Q. Is there a separate entrance to 12 the third floor? 13 A. No. 14 Q. So there's just an entrance to 15 the first and the second floor; is that 16 correct? 17 A. Yes. 18 Q. He lives on the second and third 19 floors? 20 A. Yes. 21 Q. Do you belong to the synagogue 22 as part of your faith? 23 MR. LEVINE: When you say the 24 synagogue, you mean Gorlitz's 25 synagogue?</p>
<p style="text-align: right;">Page 63</p> <p>1 Y. Salamon 2 A. Study room. 3 Q. Where was the study room 4 located? 5 A. All the way in the back on the 6 fifth floor. 7 Q. On the fifth floor? 8 A. No, the first floor -- 9 Q. The first floor? 10 A. The first floor is the 11 synagogue. The second floor is his first 12 floor. And then he has -- so in back of 13 his, it's the second floor, but it's in 14 his home. It's the first floor. 15 Q. Maybe I don't understand what 16 you're saying. Let's discuss the 17 structure that is present at 42nd and 15th 18 Avenue. It's a synagogue? 19 A. Synagogue is the first floor. 20 Q. The first floor? 21 A. First floor. 22 Q. Now, is there a second floor to 23 this building? 24 A. Yes. 25 Q. Does it have a separate entrance</p>	<p style="text-align: right;">Page 65</p> <p>1 Y. Salamon 2 MR. FIVESON: Correct. 3 Q. What synagogue did you belong to 4 on August 30, 2016? 5 A. Multiple. 6 Q. Well, had you ever prayed in his 7 synagogue, Gorlitz's synagogue, prior to 8 this date? 9 A. Yes. 10 Q. Was this a synagogue you had 11 frequented on many occasions prior to 12 August 30, 2016? 13 A. No. 14 Q. Is this a synagogue that you 15 would call your synagogue? 16 A. No. 17 Q. In a conservative, we all have 18 our synagogues. This was not your 19 synagogue, correct? 20 A. Right. I prayed over there when 21 I worked at Mr. Abramowitz. He's a block 22 away, so -- his store is a block away. So 23 when I worked over there, I prayed over 24 there sometimes. 25 Q. But this was not your regular</p>

17 (Pages 62 - 65)

<p style="text-align: right;">Page 66</p> <p>1 Y. Salamon 2 synagogue? 3 A. No. 4 Q. When you went on the day prior 5 to the closing on August 30, 2016 to 6 discuss with Mr. Yungreis getting a 7 satisfaction -- 8 A. I don't know if it's the day 9 before. 10 MR. LEVINE: Objection to form. 11 Let him finish the question. 12 Q. No, no. I didn't mean the day 13 before. On the occasion, maybe one, two, 14 or three, or five days before, but on that 15 occasion before the closing on August 30, 16 2016, when you went to Mr. Yungreis, okay, 17 did you use the second floor entrance? 18 A. Yes. 19 Q. And did he have to buzz you up 20 or can you just walk upstairs unannounced? 21 A. Buzz. 22 Q. He buzzed you up? 23 A. Yes. 24 Q. Do you recall speaking to him 25 and saying, I'm here, or speaking to</p>	<p style="text-align: right;">Page 68</p> <p>1 Y. Salamon 2 Q. Where was Mr. Yungreis on that 3 occasion when you first saw him; was he in 4 the study, was he there when you entered 5 the second floor, was it somewhere in 6 between? 7 A. I don't remember. 8 Q. Did you walk to his study alone 9 after you first gained entrance to the 10 second floor? 11 A. I don't remember. 12 Q. Do you remember seeing anybody 13 while you walked these approximate 30 feet 14 to the study? 15 A. I don't remember. 16 Q. Where was he when you first saw 17 him on the second floor? 18 A. I answered already. I don't 19 remember. 20 Q. And you walked to the study and 21 he was in the study? 22 A. Maybe we walked together. 23 Q. You don't remember? 24 A. I don't remember. 25 Q. How did you know to go back to</p>
<p style="text-align: right;">Page 67</p> <p>1 Y. Salamon 2 someone to be given permission to enter? 3 A. He has cameras, so he probably 4 saw on the camera. I rang the bell and he 5 knew. 6 Q. And you went upstairs? 7 A. Yes. 8 Q. I'm sorry. You met with him in 9 his study? 10 A. Yes. 11 Q. And that's on the second or the 12 third floor? 13 A. On the second floor. 14 Q. Where is that located on the 15 second floor? 16 A. All the way in the back. 17 Q. Now, how far did you have to 18 walk within the second floor between the 19 immediate entrance onto that level and the 20 distance it took you to get to the study? 21 A. How many feet? 22 Q. Feet, however you can describe 23 it for me. 24 A. I'd say 30, 40 feet. Forty 25 feet, probably.</p>	<p style="text-align: right;">Page 69</p> <p>1 Y. Salamon 2 his study? 3 A. If it -- he probably was there 4 and we went together. That was 5 probably -- or maybe his wife told me to 6 go there. I don't remember. 7 Q. You don't remember? 8 A. No. 9 Q. Correct? 10 A. Yes. 11 Q. When you were in the study, were 12 you and he the only persons in the study 13 on this occasion? 14 A. Yes. 15 Q. Was the door to the study 16 closed? 17 A. I don't know. 18 Q. What was discussed in the study? 19 A. That I needed a satisfaction. I 20 knew that it was taken care of and -- so 21 that was the discussion. 22 Q. What did he say, if anything? 23 A. That he is going to have it 24 taken care of. 25 Q. Did he state anything else?</p>

18 (Pages 66 - 69)

<p style="text-align: right;">Page 70</p> <p>1 Y. Salamon</p> <p>2 A. What do you mean anything else?</p> <p>3 Q. Well, did you ask, how is it</p> <p>4 going to be taken care of, I have a</p> <p>5 closing in a few days, I need to get it</p> <p>6 pretty soon? I'm just suggesting. Was</p> <p>7 there any type of discussion on those type</p> <p>8 of issues?</p> <p>9 A. Yes. He said that he is going</p> <p>10 to -- his lawyer is going to prepare me a</p> <p>11 satisfaction.</p> <p>12 MR. FIVESON: Would you read</p> <p>13 that back, please?</p> <p>14 [The requested portion of the</p> <p>15 record was read.]</p> <p>16 Q. And did he tell you who his</p> <p>17 lawyer was?</p> <p>18 A. No.</p> <p>19 Q. Did you make any inquiry as to</p> <p>20 who the lawyer was?</p> <p>21 A. I don't remember.</p> <p>22 Q. Did you make any inquiry into as</p> <p>23 to how promptly they would prepare the</p> <p>24 satisfaction?</p> <p>25 A. He said right away.</p>	<p style="text-align: right;">Page 72</p> <p>1 Y. Salamon</p> <p>2 A. Bring it to me or send it to me.</p> <p>3 He came into the store, so...</p> <p>4 Q. But I want to know what was</p> <p>5 discussed in the study. I'll get to what</p> <p>6 the events were that happened afterwards.</p> <p>7 I just want you to be clear. He told you</p> <p>8 in the study he will prepare it and get it</p> <p>9 to you?</p> <p>10 A. Yes.</p> <p>11 Q. Did he tell you he was going to</p> <p>12 sign it first?</p> <p>13 A. No, he didn't tell me. It</p> <p>14 wasn't discussed.</p> <p>15 Q. So he told you he is going to</p> <p>16 get a satisfaction and get it to you to</p> <p>17 sign?</p> <p>18 A. He didn't tell me he is going to</p> <p>19 get it to me to sign.</p> <p>20 Q. What did he tell you? I just</p> <p>21 want to be clear what he told you.</p> <p>22 A. He is going to get me the</p> <p>23 satisfaction, but I don't know if -- when</p> <p>24 I was at his house if what he -- every</p> <p>25 word that he told me. He told me that</p>
<p style="text-align: right;">Page 71</p> <p>1 Y. Salamon</p> <p>2 Q. Did you discuss how you</p> <p>3 personally were going to get possession of</p> <p>4 this satisfaction?</p> <p>5 A. Yes.</p> <p>6 Q. What was said?</p> <p>7 A. I --</p> <p>8 MR. FIVESON: Think to yourself.</p> <p>9 She takes it all down.</p> <p>10 A. I'm trying to think what was</p> <p>11 first and what was second.</p> <p>12 Q. Take your time.</p> <p>13 A. He gave me a satisfaction, that</p> <p>14 I needed to go to sign it and notarize it</p> <p>15 and send it back to him. He's going to</p> <p>16 sign it, notarize it, and he's going to</p> <p>17 overnight it to my lawyer -- to Muller.</p> <p>18 Q. Did he give you the satisfaction</p> <p>19 there in his study on that occasion?</p> <p>20 A. No.</p> <p>21 Q. Was it discussed who would</p> <p>22 prepare the satisfaction and how he would</p> <p>23 get it?</p> <p>24 A. He's going to bring it to me.</p> <p>25 Q. That's what he told you?</p>	<p style="text-align: right;">Page 73</p> <p>1 Y. Salamon</p> <p>2 he's going to get it taken care of.</p> <p>3 Q. At the house?</p> <p>4 A. He's going to have it taken care</p> <p>5 of.</p> <p>6 Q. I'm going to back up. I am not</p> <p>7 asking you to remember every word that was</p> <p>8 said because you can't do that, can you?</p> <p>9 A. No.</p> <p>10 Q. I can understand we're not</p> <p>11 computers. What I want to know is the sum</p> <p>12 and substance of what you understood he</p> <p>13 told you at that meeting.</p> <p>14 A. He told me it's going to be</p> <p>15 taken care of, that I'm going to have it</p> <p>16 for -- by the closing.</p> <p>17 Q. Did you tell him when the</p> <p>18 closing was going to occur?</p> <p>19 A. Yes.</p> <p>20 Q. In the study?</p> <p>21 A. Yes.</p> <p>22 Q. You told him that you had paid</p> <p>23 this note off to Gorlitz?</p> <p>24 A. Yes.</p> <p>25 Q. Did he acknowledge that the note</p>

19 (Pages 70 - 73)

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1 Y. Salamon
2 had been paid off?
3 A. Yes.
4 Q. In the study?
5 A. Yes.
6 Q. How long did this meeting occur
7 in the study between you and Mr.
8 Yungreis?
9 A. I don't remember.
10 Q. Five minutes, an hour? Your
11 best estimate, if you can.
12 A. I don't.
13 Q. You can't?
14 A. No.
15 Q. You can't estimate. So when you
16 left that study, you understood that
17 Mr. Yungreis was going to prepare a
18 satisfaction and get it delivered to you?
19 A. Yes.
20 Q. Was there any other
21 understanding you had about the
22 satisfaction other than that?
23 A. He is going to get it, that I
24 should have it for the closing. If he
25 said to me he is going to send it to me or

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1 Y. Salamon
2 to my lawyer, I can't remember. He is
3 going to send it. I should have it for
4 the closing.
5 Q. You thought there was no more of
6 an issue?
7 A. Right.
8 Q. Either you or your lawyer were
9 going to have it, correct?
10 A. Yes.
11 Q. And he told you that he would
12 sign it?
13 A. That he's going to prepare it.
14 Q. Prepare it?
15 A. Prepare it.
16 Q. I think you also said that he
17 wanted you to sign it. Was there any
18 discussion about you signing the
19 satisfaction?
20 A. He didn't discuss it then, but
21 when he — he gave it to me after his
22 lawyer prepared it to me, he told me that
23 I have to sign it.
24 Q. I'm going to get to that. Just
25 so we're clear, you met him in the study

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1 Y. Salamon
2 at his home sometime before your closing
3 with Galster on August 30th, correct?
4 A. Yes.
5 Q. The sum and substance of what
6 you understood is that Mr. Yungreis was
7 going to prepare a satisfaction and get it
8 to you?
9 A. To me or to my lawyer.
10 Q. Right?
11 A. Yes.
12 Q. How did you exit that second
13 floor that day?
14 A. Same way.
15 Q. Did you see anybody within that
16 30 feet from the study to the exit?
17 A. I don't remember.
18 Q. Now, at some point in time, did
19 you get a satisfaction of the mortgage?
20 A. (No verbal response.)
21 Q. Did you get a satisfaction?
22 A. My lawyer got it, yes.
23 MR. FIVESON: Please mark these
24 Plaintiff's Exhibit 7, Plaintiff's
25 Exhibit 8, and Plaintiff's Exhibit 9

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1 Y. Salamon
2 for identification.
3 [The documents was hereby marked
4 as Plaintiff's Exhibits 7, 8, and 9
5 for identification, as of this date.]
6 Q. I'm going to show you what's
7 been marked as Plaintiff's Exhibit 7,
8 which appears to be a satisfaction of
9 mortgage.
10 (Hanging.)
11 MR. LEVINE: (Perusing.)
12 (Hanging.)
13 A. (Perusing.)
14 Q. Let's assume there's no
15 handwriting on it, but just a boilerplate,
16 is that the document you received from Mr.
17 Yungreis?
18 A. (Perusing.)
19 Looks like.
20 Q. Where were you when you first
21 received that document?
22 A. In my office.
23 Q. And where is that?
24 A. 4921 12th Avenue.
25 Q. How was it you received that

<p>Page 78</p> <p>1 Y. Salamon</p> <p>2 document; was it by mail, Federal Express,</p> <p>3 courier pigeon, e-mail? How did you get</p> <p>4 it?</p> <p>5 A. You're talking -- I'm just</p> <p>6 clarifying.</p> <p>7 Q. The boilerplate.</p> <p>8 MR. LEVINE: Without the</p> <p>9 signatures.</p> <p>10 Q. With no signatures. Well, when</p> <p>11 you first received the document, was there</p> <p>12 any handwriting on the document?</p> <p>13 A. I don't think so.</p> <p>14 Q. So now when you first received</p> <p>15 the document without any handwriting on</p> <p>16 it, you said you were in your office,</p> <p>17 correct?</p> <p>18 A. Yes.</p> <p>19 Q. How did you get that document in</p> <p>20 your possession for the first time?</p> <p>21 A. I believe that he brought it to</p> <p>22 me.</p> <p>23 Q. "He" is Mr. Yungreis?</p> <p>24 A. Mr. Yungreis. It's either</p> <p>25 Mr. Yungreis brought it to me or he sent</p>	<p>Page 79</p> <p>1 Y. Salamon</p> <p>2 it. Sometimes he sent someone from his --</p> <p>3 someone working for him.</p> <p>4 Q. Well, I want to know, do you</p> <p>5 recall who handed you this document for</p> <p>6 the first time?</p> <p>7 A. To the best of my knowledge, it</p> <p>8 was him.</p> <p>9 Q. Yungreis?</p> <p>10 A. Yes.</p> <p>11 Q. Do you recall how many days or</p> <p>12 weeks or months prior to the closing did</p> <p>13 he hand you this document for the first</p> <p>14 time?</p> <p>15 A. A day or two, I think.</p> <p>16 Q. When you say you were at your</p> <p>17 office at 49-12 12th Street --</p> <p>18 A. 4921.</p> <p>19 Q. Excuse me. I stand corrected.</p> <p>20 4921 12th Street --</p> <p>21 A. 12th Avenue.</p> <p>22 Q. 12th Avenue, is that where the</p> <p>23 grocery store is?</p> <p>24 A. Yes.</p> <p>25 Q. Do you have a particular office</p>	<p>Page 80</p> <p>1 Y. Salamon</p> <p>2 that you have personally in that building?</p> <p>3 A. It's not personal. In the</p> <p>4 store.</p> <p>5 Q. But is it like an office, a</p> <p>6 separate room, separate from the grocery</p> <p>7 store?</p> <p>8 A. Yes.</p> <p>9 Q. Can you tell us where is this</p> <p>10 office of yours at 4921 12th Avenue</p> <p>11 located when you first come into the</p> <p>12 grocery store?</p> <p>13 A. All the way in the back.</p> <p>14 Q. In the back?</p> <p>15 A. Yes.</p> <p>16 Q. Now, he handed it to you in your</p> <p>17 office all the way in the back?</p> <p>18 A. Yes, I believe so.</p> <p>19 Q. Do you have a door to your</p> <p>20 office?</p> <p>21 A. Yes.</p> <p>22 Q. Did he knock on the door?</p> <p>23 A. Probably rang the bell.</p> <p>24 Q. Were you alone in your office</p> <p>25 when he handed this document to you for</p>	<p>Page 81</p> <p>1 Y. Salamon</p> <p>2 the first time?</p> <p>3 A. Usually.</p> <p>4 Q. Well, I'm talking about what you</p> <p>5 recall on that day.</p> <p>6 A. I don't remember, but usually if</p> <p>7 I had anybody, I send them out.</p> <p>8 Q. Of your office?</p> <p>9 A. Yeah.</p> <p>10 Q. Can you describe for me the</p> <p>11 dimensions of the grocery store on 4921</p> <p>12 12th Avenue in or about August of 2016,</p> <p>13 how big was it?</p> <p>14 A. It's about 4,000 square feet.</p> <p>15 Q. How many entrances are there?</p> <p>16 A. One in, one out.</p> <p>17 Q. Separate from the exit, correct?</p> <p>18 A. One is an entrance, and one is</p> <p>19 an exit.</p> <p>20 Q. Is there a cashier in the</p> <p>21 vicinity of the exit?</p> <p>22 A. Yes.</p> <p>23 Q. How many people worked the</p> <p>24 cashier?</p> <p>25 A. At one time?</p>
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21 (Pages 78 - 81)

<p style="text-align: right;">Page 82</p> <p>1 Y. Salamon</p> <p>2 Q. Customarily, how many people do</p> <p>3 you have working there?</p> <p>4 A. Sometimes only one, sometimes</p> <p>5 three.</p> <p>6 Q. Are there any other employees</p> <p>7 working in the grocery store other than</p> <p>8 yourself?</p> <p>9 A. Yes.</p> <p>10 MR. LEVINE: Are you asking</p> <p>11 about August of 2016?</p> <p>12 MR. FIVESON: Yes.</p> <p>13 Q. I'm talking customarily, when</p> <p>14 you're open doing business, how many</p> <p>15 employees did you have working at the</p> <p>16 grocery store in August of 2016 when it</p> <p>17 was open for business?</p> <p>18 A. Twenty to 30.</p> <p>19 Q. Now, did any of these employees,</p> <p>20 to your knowledge, witness Mr. Yungreis</p> <p>21 coming to your store on that occasion</p> <p>22 where he handed you the satisfaction?</p> <p>23 A. Probably, but not to remember.</p> <p>24 I mean, I don't remember who came in</p> <p>25 yesterday to the store. I mean --</p>	<p style="text-align: right;">Page 84</p> <p>1 Y. Salamon</p> <p>2 they run 24 hours a day?</p> <p>3 A. Yes.</p> <p>4 Q. Do you have a security service</p> <p>5 that monitors these cameras?</p> <p>6 A. No.</p> <p>7 Q. Are the events that are depicted</p> <p>8 by the security cameras downloaded to any</p> <p>9 database, that you know of?</p> <p>10 A. No. Remembers for quite a time,</p> <p>11 but to download it -- what did you ask?</p> <p>12 Sorry.</p> <p>13 Q. You don't understand, I'll</p> <p>14 rephrase it. My question is, does the</p> <p>15 film of the security camera, the events</p> <p>16 that it's recording, does it get</p> <p>17 downloaded to a database so you can save</p> <p>18 that for any period of time?</p> <p>19 A. It's saved, yes.</p> <p>20 Q. It saves in itself?</p> <p>21 A. Itself.</p> <p>22 Q. But you don't take that</p> <p>23 information and download it to another</p> <p>24 database?</p> <p>25 A. I don't understand how to.</p>
<p style="text-align: right;">Page 83</p> <p>1 Y. Salamon</p> <p>2 Q. Now, after Gorlitz started its</p> <p>3 lawsuit against you, did you attempt to</p> <p>4 identify any of your employees who may</p> <p>5 have witnessed Mr. Yungreis present in</p> <p>6 your store on the day that he gave you</p> <p>7 this document?</p> <p>8 (Indicating.)</p> <p>9 A. I don't think so. I mean, why</p> <p>10 should I?</p> <p>11 Q. Did you, to your knowledge, or</p> <p>12 anyone on your behalf, obtain any written</p> <p>13 statements from any of your employees that</p> <p>14 were working on this day that Mr. Yungreis</p> <p>15 gave you the document to document he, in</p> <p>16 fact, was in your office?</p> <p>17 A. I don't think so.</p> <p>18 Q. Now, do you have any security</p> <p>19 cameras in your grocery store?</p> <p>20 A. Yes.</p> <p>21 Q. Are the security cameras</p> <p>22 focussed on people that enter the</p> <p>23 premises?</p> <p>24 A. Yes.</p> <p>25 Q. And these security cameras, do</p>	<p style="text-align: right;">Page 85</p> <p>1 Y. Salamon</p> <p>2 Q. Then you don't, right?</p> <p>3 A. Right.</p> <p>4 Q. How long does the camera save</p> <p>5 the filming that it records?</p> <p>6 MR. LEVINE: By filming, you're</p> <p>7 including digital recording, correct?</p> <p>8 MR. FIVESON: Right.</p> <p>9 A. About 30 days.</p> <p>10 Q. Thirty days?</p> <p>11 A. Yes.</p> <p>12 Q. What happens after the 30 days?</p> <p>13 A. It goes over the same thing.</p> <p>14 Q. So it deletes it?</p> <p>15 A. Right.</p> <p>16 Q. Did you ever attempt to review</p> <p>17 the recordings, the information that was</p> <p>18 being either recorded or filmed by the</p> <p>19 camera to document Mr. Yungreis being</p> <p>20 present in your store on the day he</p> <p>21 hand-delivered this to you?</p> <p>22 A. It was too late. It was over 30</p> <p>23 days from when.</p> <p>24 Q. Did you attempt to do that?</p> <p>25 A. Yes.</p>

22 (Pages 82 - 85)

<p style="text-align: right;">Page 86</p> <p>1 Y. Salamon</p> <p>2 Q. And you determined it was too</p> <p>3 late?</p> <p>4 A. I mean, yeah.</p> <p>5 Q. Now, when Mr. Yungreis handed</p> <p>6 you Exhibit 7, was there any</p> <p>7 handwritten --</p> <p>8 A. No.</p> <p>9 Q. -- handwriting on the document?</p> <p>10 A. No.</p> <p>11 MR. LEVINE: Just let him finish</p> <p>12 the entire question.</p> <p>13 THE WITNESS: Yes.</p> <p>14 Q. Just so we're clear, when he</p> <p>15 hand-delivered this document to you, did</p> <p>16 it have a signature line for Yehuda</p> <p>17 Salamon and a signature line for Beis</p> <p>18 Chasidei Gorlitz?</p> <p>19 A. Yes.</p> <p>20 Q. It did?</p> <p>21 A. Yes.</p> <p>22 Q. It had the block? Do you see</p> <p>23 the block?</p> <p>24 A. Yes.</p> <p>25 Q. You understand?</p>	<p style="text-align: right;">Page 88</p> <p>1 Y. Salamon</p> <p>2 Salamon and for Beis Chasidei Gorlitz were</p> <p>3 on the document?</p> <p>4 A. Yes.</p> <p>5 Q. And there was also the jurat at</p> <p>6 the bottom of the page?</p> <p>7 A. Yes.</p> <p>8 Q. But it was not filled in?</p> <p>9 A. No.</p> <p>10 Q. Now, what did this person who</p> <p>11 delivered the document to you state, if</p> <p>12 anything, to you?</p> <p>13 A. I should go sign it, notarize</p> <p>14 it, send it back to him. And he is going</p> <p>15 to sign, notarize, and send it to my</p> <p>16 lawyer.</p> <p>17 (Indicating.)</p> <p>18 Q. Did you sign the document,</p> <p>19 Exhibit 7?</p> <p>20 A. Yes.</p> <p>21 Q. Is that your signature under</p> <p>22 Yehuda Salamon and above title handwritten</p> <p>23 Yehuda Salamon?</p> <p>24 A. Yes.</p> <p>25 Q. Did you sign this before Schner,</p>
<p style="text-align: right;">Page 87</p> <p>1 Y. Salamon</p> <p>2 A. Yes.</p> <p>3 Q. But it did not have any of the</p> <p>4 handwriting that we see on it, correct?</p> <p>5 A. Right.</p> <p>6 Q. Now, when hand-delivered this</p> <p>7 document to you --</p> <p>8 A. He or his -- I'm not sure if it</p> <p>9 was he or his helper.</p> <p>10 Q. Well, can you describe the</p> <p>11 person?</p> <p>12 A. He had one guy that helped him</p> <p>13 like -- how do you say?</p> <p>14 MR. LEVINE: Assistant?</p> <p>15 A. Assistant.</p> <p>16 Q. Well, you don't know if it was</p> <p>17 Mr. Yungreis or the helper?</p> <p>18 A. To the best of my knowledge, it</p> <p>19 was Yungreis, but 99 percent.</p> <p>20 Q. But when this person delivered</p> <p>21 it to you, there was no handwriting on the</p> <p>22 document, correct?</p> <p>23 A. Yes.</p> <p>24 Q. When this person delivered it to</p> <p>25 you, the signature blocks for Yehuda</p>	<p style="text-align: right;">Page 89</p> <p>1 Y. Salamon</p> <p>2 S C H N E R, Grossberger?</p> <p>3 A. Yes.</p> <p>4 Q. Where were you when you signed</p> <p>5 this before this notary?</p> <p>6 A. Metropolitan Bank.</p> <p>7 Q. And where is that?</p> <p>8 A. 13th Avenue, 51.</p> <p>9 MR. FIVESON: I'm sorry. What</p> <p>10 was the address he gave us?</p> <p>11 [The requested portion of the</p> <p>12 record was read.]</p> <p>13 Q. What's 51?</p> <p>14 A. 51 Street.</p> <p>15 Q. Now, how soon after you got</p> <p>16 possession of the document for the first</p> <p>17 time did you go to the Metropolitan Bank</p> <p>18 to have your signature acknowledged?</p> <p>19 A. That day.</p> <p>20 Q. So if you look at the jurat on</p> <p>21 this document, it appears to be signed</p> <p>22 August 25, 2016. Do you see that?</p> <p>23 (Indicating.)</p> <p>24 A. Yes.</p> <p>25 Q. That number 25, is that your</p>

23 (Pages 86 - 89)

<p style="text-align: right;">Page 90</p> <p>1 Y. Salamon 2 handwriting? 3 A. No. 4 Q. Did you sign it on the 25th? 5 A. I believe so. 6 Q. Do you have an account at 7 Metropolitan Bank? 8 A. Yes. 9 Q. Had you ever had documents 10 notarized at that bank by Schner 11 Grossberger? 12 A. Yes. 13 Q. How frequently were you present 14 at that bank prior to August 25, 2016? 15 A. I was every day. 16 Q. You were a regular customer 17 there? 18 A. Huh. 19 Q. Is that a yes? 20 A. Yes. 21 Q. They knew you? 22 A. Yes. 23 Q. Did they ask you for photo 24 identification when you took this there? 25 A. Yes.</p>	<p style="text-align: right;">Page 92</p> <p>1 Y. Salamon 2 back to you? 3 A. Yes. 4 Q. Did he sign it in your presence? 5 A. Probably. 6 Q. If you don't remember, tell me. 7 A. I don't remember, but it makes 8 sense. I mean -- 9 Q. I want to know what you 10 remember. We're getting into some 11 operative facts here, so if you don't 12 know, tell me you don't know. 13 A. Okay. 14 Q. When you got the document back 15 in your possession after you signed it, 16 did it have this number 25 on it? 17 A. I don't know. 18 Q. Did it have Yehuda Salamon or 19 Isaac Yungreis written on it in the jurat? 20 A. To the best of my knowledge, 21 I -- it had Yehuda Salamon. That's it. 22 Q. Now, when you went to have 23 Exhibit 7 acknowledged before Mr. 24 Grossberger, did you have any other 25 documents with you to have him</p>
<p style="text-align: right;">Page 91</p> <p>1 Y. Salamon 2 Q. They did? 3 A. Yes. 4 Q. Did you give it to them? 5 A. Yes. 6 Q. Did they photocopy it, to your 7 knowledge? 8 A. (No verbal response.) 9 Q. You don't know? 10 A. I don't know. 11 Q. Now, if you look at the jurat, 12 you see that there's some handwriting that 13 says Yehuda Salamon and a blank that says 14 Issac Yungreis. Do you see that? 15 A. Yes. 16 Q. Any of those handwritings in 17 your handwriting? 18 A. No. 19 Q. Who wrote that, do you know? 20 A. No. 21 Q. When Schner Grossberger 22 acknowledged your signature, did she hand 23 the document back to you? 24 A. It was a he. 25 Q. He. I'm sorry. Did he hand it</p>	<p style="text-align: right;">Page 93</p> <p>1 Y. Salamon 2 acknowledge? 3 A. No. 4 Q. I want to show you what's been 5 marked as Exhibit 8. I ask you if you 6 recognize that document? 7 (Handing.) 8 A. (Perusing.) 9 This is the same thing like 10 this. 11 (Indicating.) 12 Q. They're different. 13 A. One is for the 1.2 and one is 14 for the 1.3. No? Is it the same? What 15 is this? 16 Q. They're different documents. 17 (Indicating.) 18 A. I don't remember. It was maybe 19 he gave me two pages. I believe it was 20 two pages. 21 MR. LEVINE: One second, please. 22 MR. FIVESON: Go ahead, 23 Counselor. Take your time. 24 MR. LEVINE: (Perusing.) 25 Okay.</p>

24 (Pages 90 - 93)

<p style="text-align: right;">Page 94</p> <p>1 Y. Salamon 2 Q. Take your time and look at the 3 documents. 4 A. (Perusing.) 5 When was the closing? 6 Q. August 30, 2016. August 30, 7 2016. 8 MR. LEVINE: What is the pending 9 question? 10 [The requested portion of the 11 record was read.] 12 Q. First of all, let's go to 13 Exhibit 8. Does your signature appear on 14 Exhibit 8? 15 MR LEVINE: This one here. 16 (Indicating.) 17 Q. We previously were discussing 18 Exhibit 7. Now I'm discussing Exhibit 8. 19 Okay? 20 A. Okay. 21 Q. Does your signature appear on 22 this document? 23 A. Yes. 24 Q. When you first got possession of 25 Exhibit 8, was there any handwriting on</p>	<p style="text-align: right;">Page 96</p> <p>1 Y. Salamon 2 signed Exhibit 7? 3 A. I was only there once then, so 4 if it's signed, then it was probably done 5 at the same time. 6 Q. Going back to Exhibit 7, do you 7 see that the date of the satisfaction is 8 dated the 30th day of August? 9 A. Yes. 10 Q. Is that number 30 in your 11 handwriting? 12 A. No. 13 Q. You signed it on the 25th, 14 correct? 15 A. I don't know. I don't remember 16 when. 17 Q. When you got the document, there 18 was the Yehuda Salamon and the Beis 19 Chasidei Gornitz signature blocks, 20 correct? 21 A. Right. 22 Q. But they were not signed, 23 correct? 24 A. Right. 25 Q. And you signed Exhibit 8 before</p>
<p style="text-align: right;">Page 95</p> <p>1 Y. Salamon 2 it? 3 A. No. 4 Q. Where were you when you first 5 got possession of that document? 6 A. I didn't even remember it was 7 two. Now I remember. Now I remember it 8 was two, but -- 9 Q. So you got two, two 10 satisfactions? 11 A. It's very hard to remember now 12 what I had, whatever he gave me I went to 13 the bank and I had it signed and 14 notarized. I mean -- 15 Q. So you went to the bank at the 16 same time and had 7 and 8 notarized, 17 correct? 18 A. Yes. 19 Q. Did you make any inquiry of the 20 person that delivered these documents to 21 you why you were getting two documents? 22 A. No. Up until this minute, I 23 didn't know it was two. 24 Q. Did you sign Exhibit 8 before 25 Schner Grossberger at the same time you</p>	<p style="text-align: right;">Page 97</p> <p>1 Y. Salamon 2 Schner Grossberger on the 25th, correct? 3 A. I don't remember when, but I 4 signed it by him. 5 Q. When you signed it before 6 Mr. Grossberger signed it, there was no 7 handwriting within the jurat on Exhibit 8, 8 correct? 9 A. To the best -- I believe so. 10 Q. Is your handwriting anywhere on 11 the jurat? There's a Y. Salamon/I. 12 Yungreis. 13 A. They mine. 14 Q. Your handwriting is below the 15 Yehuda Salamon signature block, correct? 16 A. Yes. 17 Q. And the name Yehuda Salamon 18 across from title? 19 A. What? 20 Q. The word title. 21 A. Yes. 22 Q. Right? 23 A. Yes. 24 Q. Your handwriting doesn't appear 25 anywhere in the jurat; is that correct?</p>

25 (Pages 94 - 97)

<p style="text-align: right;">Page 98</p> <p>1 Y. Salamon 2 A. Right. 3 Q. And we're discussing Exhibit 8, 4 so we're all clear? 5 A. Yes. 6 Q. Did you see Mr. Grossberger put 7 the number 25 in the jurat on Exhibit 8? 8 A. I don't remember. 9 Q. Did you see Mr. Grossberger 10 write Y. Salamon or I. Yungreis within the 11 jurat on Exhibit 8? 12 A. I don't remember. 13 Q. Getting back to Exhibit 7, did 14 you see Mr. Grossberger write the 25 in 15 the jurat? 16 A. I don't remember. 17 Q. Did you see Mr. Grossberger 18 write the name Yehuda Salamon or Isaac 19 Yungreis within the jurat on Exhibit 7? 20 A. I don't remember, but I know 21 what I think. 22 Q. Only what you saw. Only what 23 you swear to. If you don't remember, 24 that's the answer, right? 25 A. Yes. That's the truth.</p>	<p style="text-align: right;">Page 100</p> <p>1 Y. Salamon 2 A. Yes. 3 Q. Did you sign that? 4 A. No. 5 Q. Did you see anybody sign or 6 write those words on that document? 7 A. No. 8 Q. Exhibit 9 now. The second page 9 of Exhibit 9 has a Beis Chasidei Gorlitz 10 signature block with a signature and the 11 name Isaac B. Yungreis. Do you see that? 12 A. Yes. 13 Q. Did you write that? 14 A. No. 15 Q. Did you see anybody write any of 16 those handwritings on it? 17 A. No. 18 Q. Had you ever seen this document 19 before, Exhibit 9? 20 A. No. 21 Q. Never? 22 A. Nothing that I remember. 23 Q. Now, getting back to Exhibits 7 24 and 8, after you signed these documents, 25 before the notary, what did you do with</p>
<p style="text-align: right;">Page 99</p> <p>1 Y. Salamon 2 Q. If that's the truth, that's what 3 I want. Now, let me just go to Exhibit 9. 4 Have you ever seen that, that lost note 5 affidavit? Have you ever seen that? 6 MR. LEVINE: Let me see that, 7 please? 8 MR. FIVESON: (Handing.) 9 MR. LEVINE: Okay. 10 Have you ever seen that? 11 THE WITNESS: No. 12 Q. Let me just jump back to 13 Exhibits 7 and 8. In Exhibit 7 under Beis 14 Chasidei Gorlitz, there's a name Isaac B. 15 Yungreis and a signature. You see that? 16 A. Yes. 17 Q. Did you sign that? 18 A. No. 19 Q. Did you see anybody write that 20 on this document? 21 A. No. 22 Q. Exhibit 8, same thing, on the 23 Beis Chasidei Gorlitz, there's a signature 24 and the name Issac B. Yungreis. Do you 25 see that?</p>	<p style="text-align: right;">Page 101</p> <p>1 Y. Salamon 2 the document? 3 A. I sent it to Yungreis. 4 Q. How did you send it to Yungreis? 5 A. One of my workers. 6 Q. Which worker? 7 A. I don't remember. I have it. I 8 don't remember which one. 9 Q. Can you describe the worker? 10 A. What do you mean? 11 Q. What does this person look like? 12 A. It was one of my delivery guys. 13 Q. Was there a cover letter that 14 went with the document? 15 A. No, I put in it an envelope. We 16 frequently sent like that, stuff. 17 Q. You had sent Yungreis a signed 18 satisfaction in this manner on prior 19 occasions? 20 A. I don't remember. I mean, I 21 sent him stuff. I don't know what it was. 22 I can't remember. 23 Q. What stuff had you previously 24 sent him by one of your delivery workers? 25 A. Sometimes groceries, sometimes</p>

26 (Pages 98 - 101)

<p style="text-align: right;">Page 102</p> <p>1 Y. Salamon 2 cash, sometimes papers. 3 Q. How much cash had you sent 4 Yungreis by delivery worker prior to 5 August 25, 2016? 6 A. I don't remember. 7 Q. Can you give us an estimate? 8 A. I don't know. 9 Q. Now, did you give the delivery 10 worker any instructions after you gave him 11 Exhibits 7 and 8? 12 A. Instructions? 13 Q. Yes. 14 A. To take it to the rabbi. That's 15 it. 16 Q. Is the delivery worker a 17 Hasidic? 18 A. No. 19 Q. How would he know where the 20 rabbi is? 21 A. I gave him the address. 22 Q. You gave him the address? 23 A. Yeah. 24 Q. Now, after this lawsuit with 25 Gorlitz was commenced, did you ever go and</p>	<p style="text-align: right;">Page 104</p> <p>1 Y. Salamon 2 payroll? 3 THE WITNESS: I want to ask you. 4 MR. LEVINE: You want to ask me 5 something? 6 THE WITNESS: Yes. 7 MR. LEVINE: Does it have to do 8 with privilege? 9 THE WITNESS: What is that? 10 MR. LEVINE: Are you concerned 11 about the answer to the question? 12 THE WITNESS: Yes. 13 MR. FIVESON: Go ahead. 14 MR. LEVINE: Come outside. 15 (Short recess was taken.) 16 A. I don't know. Sometimes I have 17 busier days and I take for the day, people 18 bring me friends and everything, so they 19 get paid cash. It takes time till they go 20 on the payroll. 21 Q. This employee, was he working 22 for Yidel's Shopping Cart? 23 A. He was a worker. 24 Q. Which entity was he working for, 25 Yidel's Shopping Cart?</p>
<p style="text-align: right;">Page 103</p> <p>1 Y. Salamon 2 locate this delivery worker to get a 3 statement to confirm that he delivered the 4 satisfaction to Yungreis? 5 A. I have to ask my lawyer. I 6 didn't have him. I had -- 7 Q. You had a different lawyer? 8 A. I had a different lawyer. 9 Q. Today, to your knowledge, has a 10 statement of this delivery worker been 11 obtained, a written statement? 12 A. I don't know. 13 Q. What's the name of this delivery 14 worker? 15 A. I don't remember. 16 Q. Well, do you have any documents 17 in your office, business records, 18 employment records that would identify the 19 name and address of this delivery worker? 20 A. I have to check. I don't know. 21 Q. Well, is that delivery worker 22 still employed with you today? 23 A. I don't remember. Keeps 24 changing very frequently, so... 25 Q. Was the delivery worker on your</p>	<p style="text-align: right;">Page 105</p> <p>1 Y. Salamon 2 A. I believe so. 3 Q. Does Yidel's Shopping Cart 4 maintain payroll records? 5 A. The accountant has. 6 Q. The accountant is 7 Mr. Hirschfeld? 8 A. I believe so. 9 Q. He maintains the payroll records 10 for Yidel's Shopping Cart? 11 A. Not those who get paid cash. 12 Q. So this worker who did the 13 delivery got paid cash? 14 A. I don't know. I don't remember 15 who it was and -- 16 Q. Just so we're clear, the person 17 who delivered Exhibits 7 and 8 to 18 Mr. Yungreis was an employee of Yidel's, a 19 delivery person who you believe was 20 getting paid cash and therefore is not on 21 your payroll records? 22 MR. LEVINE: Objection to the 23 form. 24 A. I don't know. 25 Q. You don't know?</p>

27 (Pages 102 - 105)

<p>Page 106</p> <p>1 Y. Salamon 2 A. I don't know. 3 Q. Had you made any efforts prior 4 to today to identify this delivery person 5 who delivered Exhibits 7 and 8 to 6 Mr. Yungreis? 7 MR. LEVINE: In answering that 8 question, make sure you do not 9 disclose any communications with your 10 attorney. 11 MR. FIVESON: That is correct. 12 MR. LEVINE: Do you understand? 13 MR. FIVESON: I don't want to 14 know what you spoke to -- 15 MR. LEVINE: The question he is 16 asking you is whether you made any 17 effort to locate this person. You can 18 answer that question, but do not 19 disclose any communications you had 20 either with me -- 21 MR. FIVESON: Or your prior 22 counsel. 23 MR. LEVINE: -- or your prior 24 attorney. Do you understand? 25 MR. FIVESON: Let me make this</p>	<p>Page 108</p> <p>1 Y. Salamon 2 he speak English, that you handed the 3 documents to? 4 A. They don't. 5 Q. So how did you communicate with 6 him? 7 A. I write the address. 8 Q. And that's it? 9 A. Yes. 10 Q. So you wrote an address and you 11 gave him the documents? 12 A. Yes. 13 Q. And then you assumed he went and 14 delivered it to Mr. Yungreis? 15 A. Yes. 16 MR. FIVESON: Can we please have 17 this marked as Plaintiff's Exhibit 10 18 for identification? 19 [The document was hereby marked 20 as Plaintiff's Exhibit 10 for 21 identification, as of this date.] 22 Q. Let me just make sure I 23 understand your testimony. You don't know 24 if this delivery person is working for 25 Yidel's today?</p>
<p>Page 107</p> <p>1 Y. Salamon 2 very clear, if you had a discussion 3 with Mr. Levine or any of your prior 4 two counsel, I don't want to know 5 about that. So whatever question I 6 ask you carves that out. Okay? Do 7 you understand? 8 THE WITNESS: Mm-hmm. 9 MR. FIVESON: Is that a yes? 10 THE WITNESS: Yes. 11 Q. So my question is, did you make 12 any effort to identify this delivery 13 person employee? 14 A. I made effort. The problem is 15 that they don't talk English and 16 everything they say, yes, yes, yes. So 17 it's very hard. Or if they're afraid that 18 you're going to say that they messed 19 something up, they say, no, not me. 20 Everybody says, not me. So it's very 21 hard. Everybody says, it wasn't me. 22 MR. LEVINE: The question is, 23 did you try to find out who it was? 24 THE WITNESS: Right. 25 Q. Now, this delivery person, did</p>	<p>Page 109</p> <p>1 Y. Salamon 2 A. Right. 3 Q. You don't know if he was on the 4 payroll? 5 A. Right. I don't know who it was. 6 Q. You don't know who it was? 7 A. No. 8 Q. And all you did was write an 9 address on a piece of paper -- 10 A. Not on paper, put it in an 11 envelope. 12 Q. With the address? 13 A. That's how we do everything. 14 It's all delivery is go that way. I mean, 15 all orders -- it's a community that 16 everything is delivered. 17 Q. The delivery person does not 18 speak English? 19 A. Right. 20 Q. So you put Exhibits 7 and 8 in 21 an envelope that had Mr. Yungreis's 22 address on it? 23 A. Yes. 24 Q. Correct? 25 A. Right.</p>

28 (Pages 106 - 109)

<p style="text-align: right;">Page 110</p> <p>1 Y. Salamon</p> <p>2 Q. And you handed it to the</p> <p>3 delivery person, correct?</p> <p>4 A. Right.</p> <p>5 Q. And you did not verbally</p> <p>6 communicate with him?</p> <p>7 A. No. I sent with him sometimes</p> <p>8 deposit to the bank. I mean --</p> <p>9 Q. I want to know what you did in</p> <p>10 this instance.</p> <p>11 A. Yes.</p> <p>12 Q. This instance, you took Exhibits</p> <p>13 7 and 8 and you put it in an envelope,</p> <p>14 correct?</p> <p>15 A. Right.</p> <p>16 Q. You wrote Yungreis's address on</p> <p>17 it, correct?</p> <p>18 A. Yes.</p> <p>19 Q. You gave it to the delivery</p> <p>20 person?</p> <p>21 A. Yes.</p> <p>22 Q. And that was it?</p> <p>23 A. Right.</p> <p>24 Q. You didn't communicate verbally</p> <p>25 with him because you don't speak his</p>	<p style="text-align: right;">Page 112</p> <p>1 Y. Salamon</p> <p>2 MR. FIVESON: Now, I'm going to</p> <p>3 mark some documents here. Mark this</p> <p>4 document as Plaintiff's Exhibit 11,</p> <p>5 and mark that as Plaintiff's Exhibit</p> <p>6 12 for identification.</p> <p>7 [The documents were hereby</p> <p>8 marked as Plaintiff's Exhibits 11 and</p> <p>9 12 for identification, as of this</p> <p>10 date.]</p> <p>11 Q. Let me back up. When you gave 7</p> <p>12 and 8 to your delivery person, did it have</p> <p>13 the signature of Mr. Yungreis's on either</p> <p>14 document?</p> <p>15 A. No.</p> <p>16 Q. When was the next time you saw 7</p> <p>17 and 8 prior to today?</p> <p>18 A. In the lawsuit.</p> <p>19 Q. Well, did you see 7 and 8 at the</p> <p>20 closing?</p> <p>21 A. No.</p> <p>22 Q. And the first time you saw 7 and</p> <p>23 8 is when Gorlitz sued you?</p> <p>24 A. Yes.</p> <p>25 Q. Claiming that Exhibits 7 and 8</p>
<p style="text-align: right;">Page 111</p> <p>1 Y. Salamon</p> <p>2 language?</p> <p>3 A. Right.</p> <p>4 Q. And he doesn't speak your</p> <p>5 language, correct?</p> <p>6 A. Right.</p> <p>7 Q. Did you write Mr. Yungreis's</p> <p>8 name on the envelope?</p> <p>9 A. I don't remember, but I'm sure</p> <p>10 that yes.</p> <p>11 Q. Now, let's look at Exhibit 10,</p> <p>12 which is the defendant's response for</p> <p>13 identification of witnesses. And this was</p> <p>14 presented by your counsel, Mr. Levine, who</p> <p>15 is sitting in the room.</p> <p>16 Is the name of this delivery</p> <p>17 person identified as a witness in this</p> <p>18 case on Exhibit 10?</p> <p>19 MR. LEVINE: Look at all the</p> <p>20 names, please.</p> <p>21 THE WITNESS: (Complying.)</p> <p>22 MR. LEVINE: Just note my</p> <p>23 objection to form.</p> <p>24 A. (Perusing.)</p> <p>25 No.</p>	<p style="text-align: right;">Page 113</p> <p>1 Y. Salamon</p> <p>2 are forged?</p> <p>3 A. Yes.</p> <p>4 MR. LEVINE: Claiming his</p> <p>5 signature was forged.</p> <p>6 Q. Claiming that the signature of</p> <p>7 Yungreis was forged?</p> <p>8 MR. LEVINE: That's his claim.</p> <p>9 Q. You don't recall seeing 7 and 8</p> <p>10 at the closing?</p> <p>11 A. I don't remember that.</p> <p>12 Q. Were there any discussions at</p> <p>13 the closing, except between you and</p> <p>14 Mr. Miller, outside the presence of</p> <p>15 anybody regarding satisfying that</p> <p>16 mortgage?</p> <p>17 A. No, maybe Muller spoke with --</p> <p>18 Q. I don't want Muller maybe. I</p> <p>19 want to know what you recall at that</p> <p>20 closing.</p> <p>21 A. I don't remember anything.</p> <p>22 Q. So you went to the closing.</p> <p>23 What was your understanding as to whether</p> <p>24 or not Yungreis had signed the</p> <p>25 satisfactions and got it to the closing?</p>

29 (Pages 110 - 113)

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1 Y. Salamon
2 A. Yes.
3 Q. Why was that your understanding
4 if you didn't see either document at the
5 closing?
6 A. Because Muller said he got it
7 from -- he got it from Yungreis.
8 Q. Your lawyer said that?
9 A. Yes.
10 Q. He stated that at the closing?
11 A. Yes.
12 Q. But you didn't see the documents
13 at the closing?
14 A. I don't remember seeing it.
15 Q. Is Mr. Daniel Muller still in
16 practice?
17 A. I believe so. I mean --
18 Q. Referring back to Exhibit 10,
19 Mr. Muller is not identified as a witness
20 in this action on Exhibit 10. Do you see
21 that?
22 MR. LEVINE: As a witness in
23 this, the Galster action?
24 MR. FIVESON: Correct.
25 MR. LEVINE: (Perusing.)

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1 Y. Salamon
2 I agree with you. He is not
3 listed as a witness in this action.
4 MR. FIVESON: Right.
5 Q. But just so we're clear, you did
6 not bring 7 and 8 to the closing --
7 A. No.
8 Q. -- Mr. Muller brought --
9 MR. LEVINE: Let him finish the
10 question.
11 Q. Mr. Muller brought them to the
12 closing?
13 A. I believe so.
14 Q. How did Mr. Yungreis know to
15 send Exhibits 7 and 8 to Mr. Muller, to
16 your understanding?
17 A. I gave them -- I send him all
18 the information where to send this, um,
19 the satisfaction.
20 Q. When did you send that
21 information?
22 A. It was together with the -- when
23 I sent him this.
24 Q. 7 and 8?
25 A. Yes.

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1 Y. Salamon
2 Q. So when you sent him 7 and 8 in
3 the envelope, correct?
4 A. Right.
5 Q. You also included a letter or
6 some note where to send it?
7 A. Correct.
8 Q. You did?
9 A. Yes.
10 Q. Do you have a copy of that note?
11 Did you make a copy of that?
12 A. I should make a copy?
13 MR. LEVINE: It's yes or no
14 question.
15 A. No.
16 Q. And you had Mr. Muller's
17 address --
18 A. I had it.
19 Q. -- on the note, correct?
20 A. Right.
21 Q. But you don't know what the
22 address of Mr. Muller is today?
23 A. No.
24 Q. And Mr. Muller, his office was
25 in Manhattan?

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1 Y. Salamon
2 A. I don't know.
3 Q. Had you ever been to his office?
4 A. No.
5 Q. Did you pay Mr. Muller for his
6 services by check or cash?
7 A. You asked me.
8 Q. Was it by check?
9 A. I don't remember.
10 Q. I want to show you a two-page
11 document, it's an operating agreement,
12 Exhibit 11. Does your suggest appear on
13 the second page?
14 MR. LEVINE: Let me see it,
15 please?
16 MR. FIVESON: (Handing.)
17 MR. LEVINE: (Perusing.)
18 (Handing.)
19 A. (Perusing.)
20 MR. LEVINE: The question is if
21 you recognize your signature on the
22 second page.
23 MR. FIVESON: Right.
24 A. Looks like.
25 Q. Do you recognize that document?

<p style="text-align: right;">Page 118</p> <p>1 Y. Salamon</p> <p>2 A. No.</p> <p>3 Q. What was the purpose of your</p> <p>4 borrowing six-and-a-half million dollars</p> <p>5 from Galster?</p> <p>6 A. Investment.</p> <p>7 Q. What was the investment that you</p> <p>8 intended to use the money for?</p> <p>9 A. I had numerous things I was</p> <p>10 looking to expand.</p> <p>11 Q. What were you looking at?</p> <p>12 A. I had a few things that I wanted</p> <p>13 to do.</p> <p>14 Q. Well, what were they?</p> <p>15 A. Online, Amazon. Like to compete</p> <p>16 with Amazon, different kinds of structure.</p> <p>17 I was trying by Jet.</p> <p>18 Q. I don't know what you're saying,</p> <p>19 sir. Jet what?</p> <p>20 A. Walmart owns a company Jet.</p> <p>21 Q. What were you going to do with</p> <p>22 Jet?</p> <p>23 A. I was trying. I wanted to -- I</p> <p>24 wanted to go over there. I was -- I</p> <p>25 wanted to have first the money and then</p>	<p style="text-align: right;">Page 120</p> <p>1 Y. Salamon</p> <p>2 A. Um, not really.</p> <p>3 MR. LEVINE: What?</p> <p>4 Q. Not really?</p> <p>5 A. Could be, but not my normal</p> <p>6 signature.</p> <p>7 Q. Do you recognize it as your</p> <p>8 signature?</p> <p>9 A. No.</p> <p>10 MR. FIVESON: Please mark this</p> <p>11 as Plaintiff's Exhibit 13. It's a</p> <p>12 two-page deposit agreement.</p> <p>13 [The document was hereby marked</p> <p>14 as Plaintiff's Exhibit 13 for</p> <p>15 identification, as of this date.]</p> <p>16 Q. I'm going to show you a two-page</p> <p>17 document marked as Exhibit 13, entitled,</p> <p>18 Deposit Agreement. Does your signature</p> <p>19 appear above the line signature of</p> <p>20 depositor?</p> <p>21 (Hanging.)</p> <p>22 MR. LEVIN: (Perusing.)</p> <p>23 (Hanging.)</p> <p>24 A. (Perusing.)</p> <p>25 MR. LEVINE: The question is, is</p>
<p style="text-align: right;">Page 119</p> <p>1 Y. Salamon</p> <p>2 decide what I'm going to do exactly. I</p> <p>3 had a few opportunities what to do, and if</p> <p>4 you don't have the money, you can't do it.</p> <p>5 You can't tell them, okay, I have</p> <p>6 opportunity, now I'm waiting for having</p> <p>7 the money. So I wanted to have the money</p> <p>8 and then I'm going to see what -- I had a</p> <p>9 few offers.</p> <p>10 Q. What were the offers you had?</p> <p>11 You had Jet? What else?</p> <p>12 A. I don't remember everything that</p> <p>13 I had.</p> <p>14 Q. I'm going to show you Exhibit</p> <p>15 12, which is an affidavit of title. Does</p> <p>16 your signature appear at the bottom of</p> <p>17 that document?</p> <p>18 MR. LEVINE: Let me see this</p> <p>19 first, please.</p> <p>20 MR. FIVESON: (Hanging.)</p> <p>21 MR. LEVINE: (Perusing.)</p> <p>22 (Hanging.)</p> <p>23 A. (Perusing.)</p> <p>24 MR. LEVINE: He's asking is that</p> <p>25 your signature.</p>	<p style="text-align: right;">Page 121</p> <p>1 Y. Salamon</p> <p>2 that your signature?</p> <p>3 (Indicating.)</p> <p>4 A. It's not my signature, but it's</p> <p>5 similar.</p> <p>6 Q. Let's look at this one.</p> <p>7 (Indicating.)</p> <p>8 A. I didn't say I didn't sign it.</p> <p>9 I --</p> <p>10 MR. LEVINE: You don't have to</p> <p>11 explain. Just answer the question.</p> <p>12 Q. Did you sign Exhibit 13?</p> <p>13 A. I don't know.</p> <p>14 MR. FIVESON: Mark this one-page</p> <p>15 letter as Plaintiff's 14 for</p> <p>16 identification.</p> <p>17 [The document was hereby marked</p> <p>18 as Plaintiff's Exhibit 14 for</p> <p>19 identification, as of this date.]</p> <p>20 Q. Did you sign Exhibit 14?</p> <p>21 (Hanging.)</p> <p>22 A. (Perusing.)</p> <p>23 Looks like.</p> <p>24 MR. FIVESON: Please mark this</p> <p>25 as Exhibit 15. It's consent and</p>

31 (Pages 118 - 121)

<p style="text-align: right;">Page 122</p> <p>1 Y. Salamon 2 appointment. 3 [The document was hereby marked 4 as Plaintiff's Exhibit 15 for 5 identification, as of this date.] 6 Q. I want to show you Exhibit 15. 7 Did you sign this document? 8 (Handing.) 9 A. (Perusing.) 10 Yes. 11 MR. FIVESON: It's 1:00. Let's 12 take a lunch break. 13 (Lunch recess was taken.) 14 [The documents were hereby 15 marked as Plaintiff's Exhibits 3L, 3M, 16 and 3N for identification, as of this 17 date.] 18 MR. FIVESON: Please mark this 19 as Plaintiff's Exhibit 16 for 20 identification. It's defendant's 21 first supplemental response to 22 plaintiff's demand for witnesses. 23 [The document was hereby marked 24 as Plaintiff's Exhibit 16 for 25 identification, as of this date.]</p>	<p style="text-align: right;">Page 124</p> <p>1 Y. Salamon 2 Q. Is he still employed by you? 3 A. No. 4 Q. When did he leave your 5 employment? 6 A. I don't know. 7 Q. Do you have employment records 8 of his last known address? 9 A. I don't know. I don't know if 10 he was, um, on the books. 11 Q. So you don't have his address, 12 correct? 13 A. I don't know. 14 Q. Well, it says here on this 15 disclosure, Exhibit 16, it says, Present 16 address unknown. Do you see that? 17 A. Yes. 18 Q. And he's listed under it. 19 A. Okay. 20 Q. Right? 21 A. Right. 22 Q. So that means you don't have his 23 address, correct? 24 A. Yes. 25 Q. That means you have no written</p>
<p style="text-align: right;">Page 123</p> <p>1 Y. Salamon 2 Q. I want to show you what is 3 marked as Exhibit 16, which is the 4 supplemental witness disclosure filed by 5 your attorney, Mr. Levine, in this action. 6 It's dated May 1, 2016. Is the name of 7 that employee to whom you delivered the 8 envelope containing Exhibits 7 and 8 9 identified in this witness disclosure, 10 Exhibit 16? 11 MR. LEVINE: Look at all the 12 names. 13 A. (Perusing.) 14 I think yes. 15 Q. Who is that? 16 A. I'm not sure, but I think 17 it's -- 18 Q. You're pointing, if I may, 19 Victor Tambrulose (phonetic) Guarchaj, G U 20 A R C H A J, is that who you're referring 21 to? 22 A. I think so. 23 Q. You think he's the person; is 24 that correct? 25 A. Yes.</p>	<p style="text-align: right;">Page 125</p> <p>1 Y. Salamon 2 record of him working for you? 3 A. Right. 4 Q. Well, do you have personal 5 knowledge that he delivered that envelope 6 to Mr. Yungreis? 7 MR. LEVINE: Objection to form. 8 You can answer. 9 A. Yes. 10 Q. How do you know that? 11 A. Because he told me then. I 12 mean, the guy who -- the -- I wasn't sure 13 if it's him because afterwards when I 14 tried to come back, everybody says, not 15 me, not me. But original, the day I sent 16 it, I ask, it was delivered to him, yes. 17 Q. He said "yes," is that your 18 testimony? 19 A. Yes, but I'm not sure if it 20 was -- it was probably him because to the 21 best of my knowledge, but -- 22 Q. Did you ever call Mr. Yungreis 23 and did Yungreis tell you he got it from 24 this delivery person? 25 A. Then.</p>

32 (Pages 122 - 125)

<p style="text-align: right;">Page 126</p> <p>1 Y. Salamon</p> <p>2 Q. What do you mean "then"?</p> <p>3 A. I believe so.</p> <p>4 Q. My question is, after you gave</p> <p>5 the envelope to this employee --</p> <p>6 A. To the best of my knowledge, I</p> <p>7 called him that he got it, called him or</p> <p>8 asked -- to best of my knowledge.</p> <p>9 Q. So after you gave the envelope</p> <p>10 to the employee, you called Mr. Yungreis</p> <p>11 to confirm he received it?</p> <p>12 A. To the best of my knowledge.</p> <p>13 Q. Did you use a cell phone or did</p> <p>14 you use a landline?</p> <p>15 A. I don't know.</p> <p>16 Q. Do you have a cell phone?</p> <p>17 A. Yes.</p> <p>18 Q. What's your cell phone number?</p> <p>19 A. 718-473-5858.</p> <p>20 Q. Who was your servicer in August</p> <p>21 of 2016; Verizon, AT&T, T-Mobile?</p> <p>22 A. I don't know.</p> <p>23 Q. You don't know who you paid your</p> <p>24 cell phone bill to?</p> <p>25 A. On '16, I don't know.</p>	<p style="text-align: right;">Page 128</p> <p>1 Y. Salamon</p> <p>2 (Handing.)</p> <p>3 You can answer.</p> <p>4 A. (Perusing.)</p> <p>5 Yes.</p> <p>6 Q. Was \$6,095,068.80 wired to</p> <p>7 Yidel's Shopping Cart representing a</p> <p>8 portion of the loan proceeds?</p> <p>9 A. Yes.</p> <p>10 Q. I want to show you 3M. Had you</p> <p>11 ever seen this document, which appears to</p> <p>12 be a closing statement?</p> <p>13 (Handing.)</p> <p>14 A. (Perusing.)</p> <p>15 Q. For the closing.</p> <p>16 A. (Perusing.)</p> <p>17 MR. LEVINE: The question is,</p> <p>18 have you ever seen this before.</p> <p>19 A. I don't remember.</p> <p>20 Q. And I note it says, Present at</p> <p>21 closing, Annmarie Kearney, K E A R N E Y -</p> <p>22 Wood, Esquire; Daniel, D A N I E L,</p> <p>23 Muller, M U L L E R; Yehuda Salamon; Ira</p> <p>24 Neuman. Do you see that over here?</p> <p>25 (Indicating.)</p>
<p style="text-align: right;">Page 127</p> <p>1 Y. Salamon</p> <p>2 Q. I'm talking about in August of</p> <p>3 2016.</p> <p>4 A. That's what I am saying. I</p> <p>5 don't know who paid then.</p> <p>6 Q. Who do you pay today?</p> <p>7 A. Today is Sprint.</p> <p>8 Q. Sprint?</p> <p>9 A. Yeah.</p> <p>10 Q. Did you change services from --</p> <p>11 A. I changed.</p> <p>12 Q. -- from since the closing till</p> <p>13 today?</p> <p>14 A. I changed, but I don't know if</p> <p>15 it changed services, plan. I don't</p> <p>16 remember.</p> <p>17 Q. Now, we also marked in your</p> <p>18 absence Exhibits 3L, 3M, and 3N, which I</p> <p>19 would like to go over with you. I want to</p> <p>20 show you 3L, which is identified as the</p> <p>21 loan disbursement approval. Does your</p> <p>22 signature appear on that document?</p> <p>23 (Handing.)</p> <p>24 MR. LEVINE: Hold on.</p> <p>25 (Perusing.)</p>	<p style="text-align: right;">Page 129</p> <p>1 Y. Salamon</p> <p>2 A. (Perusing.)</p> <p>3 Yes.</p> <p>4 Q. Does that refresh your</p> <p>5 recollection as to who your attorneys were</p> <p>6 at the closing?</p> <p>7 A. It was Daniel Muller.</p> <p>8 Q. Who was Annmarie Kearney-Wood?</p> <p>9 A. No clue.</p> <p>10 Q. And who was Ira Neuman?</p> <p>11 A. I don't know.</p> <p>12 Q. There's also underneath is Judah</p> <p>13 (phonetic) Tynauer, T Y N A U E R. Who's</p> <p>14 that?</p> <p>15 A. Nothing with me.</p> <p>16 Q. And going back to Exhibit 3L,</p> <p>17 which you signed, were any of the monies</p> <p>18 disbursed at the closing to pay your</p> <p>19 lawyer or the law firm which he worked</p> <p>20 for?</p> <p>21 MR. LEVINE: Are you asking him</p> <p>22 if he remembers that or if it's</p> <p>23 indicated on this document?</p> <p>24 MR. FIVESON: Whether he</p> <p>25 remembers that or if it's indicated on</p>

<p style="text-align: right;">Page 130</p> <p>1 Y. Salamon 2 the document. 3 MR. LEVINE: (Perusing.) 4 (Handing.) 5 A. (Perusing.) 6 I don't know for which company 7 he works, so I don't know. 8 Q. You don't know. There is a wire 9 to Szenberg, S Z E N B E R G & Okun, O K U 10 N, PLLC, for \$6,250. Was that the law 11 firm which Mr. Muller worked for? 12 A. I don't know. 13 Q. And then there's a wire to Judah 14 Tynauer, T Y N A U E R, for \$32,500. What 15 was that for? 16 A. Not from me. 17 Q. Not from you? 18 A. Right. 19 Q. Is that the mortgage broker? 20 A. Could be. 21 Q. Could be. The name doesn't 22 sound familiar to you? 23 A. I know who he is, but I didn't 24 deal with him. 25 Q. You know who he is?</p>	<p style="text-align: right;">Page 132</p> <p>1 Y. Salamon 2 Q. How many payments did you make? 3 A. We gave them post-dated checks. 4 Q. How many post-dated checks did 5 you give them? 6 A. I think 12. 7 Q. And did those checks clear? 8 A. No. 9 Q. How many cleared? 10 A. I don't know. They froze my 11 account, Galster. So if not for that, it 12 would have gone through. 13 Q. Going back to Exhibit 3L, it 14 says that \$6,095,068.80 was wired to 15 Yidel's. Do you recall that? 16 A. Yes. 17 Q. What bank did those monies go 18 into? 19 A. I think Bank of America. 20 Q. Or was it Signature Bank? 21 A. I don't remember. 22 Q. I want to show you Exhibit N. 23 Had you ever seen this document before? 24 A. (Perusing.) 25 MR. LEVINE: What is this?</p>
<p style="text-align: right;">Page 131</p> <p>1 Y. Salamon 2 A. Yes. 3 Q. Who is he? 4 A. From the bank -- from Galster, 5 not from me. 6 Q. Did Judah Tynauer contact you 7 for this loan? 8 A. No. 9 Q. Now, was the first payment on 10 the note you gave to Galster due on 11 October 1, 2016? 12 A. It's a question? 13 Q. Yes. 14 A. What was the question? 15 Q. Let me go back. Let me back up. 16 Do you recall when the first monthly 17 payment was due on the note you gave 18 Galster for six-and-a-half million dollars 19 on August 30, 2016? 20 A. No. 21 Q. Was it due October 1, 2016? 22 A. Maybe. 23 Q. Did you make any payments to 24 Galster on that promissory note? 25 A. Yes.</p>	<p style="text-align: right;">Page 133</p> <p>1 Y. Salamon 2 MR. FIVESON: N is a wire 3 transfer advice. It's a report dated 4 November 16, 2016, for a wire that 5 occurred on August 13, 2016. 6 A. August 13th? 7 Q. August 30th. Coming from Stark, 8 Amron & Liner, of \$6,085,068.80. Do you 9 see that? And did that go into the 10 Signature Bank? 11 A. Okay. So what? 12 Q. Well, did Yidel's have an 13 account at Signature Bank? 14 A. Yes. 15 Q. Now, let's go back to Exhibit 1, 16 which is your accounting. 17 MR. FIVESON: Can we have this 18 one marked as Exhibit 1B for 19 identification? 20 [The document was hereby marked 21 as Plaintiff's Exhibit 1B for 22 identification, as of this date.] 23 Q. Before I get to Exhibit 1B. 24 Mr. Salmon, have you ever been known by 25 any other name other than Yehuda Salamon?</p>

34 (Pages 130 - 133)

<p style="text-align: right;">Page 134</p> <p>1 Y. Salamon 2 A. Yes. 3 Q. What other names? 4 A. Marty. 5 Q. Marty what? 6 A. Salamon. 7 Q. Any other names? 8 A. Um, yes, Yidel. 9 Q. Yidel? 10 A. Mm-hmm. 11 Q. Y I D D - 12 A. Y I D E L. 13 Q. Salamon? 14 A. Mm-hmm. 15 Q. That's a yes? 16 MR. LEVINE: You have to say yes 17 or no. 18 A. Yes. 19 Q. Any other name? 20 A. I can't recollect. 21 Q. When do you use the name Marty 22 Salamon? 23 A. Sometimes. 24 Q. Any particular occasion? 25 A. Depends. Sometimes.</p>	<p style="text-align: right;">Page 136</p> <p>1 Y. Salamon 2 And that appears to be a bank statement 3 drawn on the Signature Bank. And the 4 account is Yidel's Shopping Cart, Inc., 5 D/B/A Riverstone Group. Do you see that? 6 A. Yes. 7 Q. Who is Riverstone Group? 8 A. It's a corporation that -- it's 9 also I'm affiliated with it. 10 Q. Well, what does Riverstone Group 11 do? 12 A. Depends. 13 Q. Well -- 14 A. It's -- it's -- if you use 15 Yidel's Grocery, then you know you're a 16 grocery store. When you want to be 17 professional and make business 18 transactions, you have a different name. 19 Q. The name is D/B/A Riverstone 20 Group? 21 A. Yes. 22 Q. Does Riverstone Group have an 23 office anywhere? 24 A. Not now. 25 Q. Well, let's talk about in August</p>
<p style="text-align: right;">Page 135</p> <p>1 Y. Salamon 2 Q. Why do you use the name Marty 3 Salamon? 4 A. Why, because when I don't want 5 to connect with Yidel. 6 Q. What does that mean, you don't 7 want to connect with Yidel? 8 A. If I don't want people to put me 9 together straight like in other 10 businesses, like this, I know sometimes 11 when someone calls me for what they call 12 me. 13 Q. Why don't you want people to 14 know or connect you to Yidel's? What 15 circumstances would that event occur? 16 MR. LEVINE: Objection to form. 17 You can answer. 18 A. In -- when I don't want to be 19 like a grocery. I want to be like a 20 different business. 21 Q. When do you go by the name Yidel 22 Salamon? 23 A. Depends. Personal, mostly. 24 Q. Now, I want to show you Exhibit 25 1B, which is annexed to your accounting.</p>	<p style="text-align: right;">Page 137</p> <p>1 Y. Salamon 2 of 2016, did it have an office? 3 A. I don't remember. 4 Q. What about in 2017, did it have 5 an office? 6 A. I don't know. 7 Q. Exhibit 1B, that shows the loan 8 proceeds of \$6,085,068.80 coming into this 9 Signature Bank account, correct? 10 A. Yes. 11 MR. FIVESON: Let's have 1C 12 marked, please. 13 [The document was hereby marked 14 as Plaintiff's Exhibit 1C for 15 identification, as of this date.] 16 Q. I'm going to show you Exhibit 17 1C, which shows an outgoing wire from 18 Yidel's Shopping Cart, D/B/A Riverstone 19 Group account on Signature Bank, of 2.5 20 million dollars. Do you see that? 21 (Indicating.) 22 A. Yes. 23 Q. Where did that money go? 24 A. I don't remember. 25 Q. Have you ever heard of the law</p>

35 (Pages 134 - 137)

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1 Y. Salamon
2 firm Mintz Levin?
3 MR. LEVINE: Mintz Levin?
4 MR. FIVESON: Mintz Levin.
5 MR. LEVINE: I thought it was
6 Mintz Levin.
7 MR. FIVESON: Mintz Levin, Mintz
8 Levin.
9 MR. LEVINE: Can I see that,
10 please?
11 MR. FIVESON: Yes, by all means.
12 (Hanging.)
13 MR. LEVINE: (Perusing.)
14 Q. Using Exhibit C, you don't know
15 where that money went?
16 MR. LEVINE: By "that money,"
17 you mean --
18 MR. FIVESON: The 2.5 million
19 dollars.
20 MR. LEVINE: Objection. Asked
21 and answered.
22 You can answer it again.
23 A. For what this went?
24 Q. Where did it go? Who was it
25 wired to?

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1 Y. Salamon
2 A. (Perusing.)
3 It doesn't say where.
4 Q. But do you know?
5 MR. LEVINE: Do you remember?
6 THE WITNESS: No.
7 Q. You don't remember?
8 A. No.
9 MR. FIVESON: Please mark this
10 as Plaintiff's Exhibit 17 for
11 identification.
12 [The document was hereby marked
13 as Plaintiff's Exhibit 17 for
14 identification, as of this date.]
15 MR. FIVESON: I'm showing it to
16 Counsel.
17 (Hanging.)
18 MR. LEVINE: (Perusing.)
19 (Hanging.)
20 A. (Perusing.)
21 Q. Do you recognize what Exhibit 17
22 is?
23 A. (Perusing.)
24 MR. LEVINE: You're asking about
25 the entire document including the

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1 Y. Salamon
2 certification?
3 MR. FIVESON: Well, let me back
4 up. I'll withdraw that question.
5 Please mark this as Plaintiff's
6 Exhibit 17A, which is the business
7 profile and account application for
8 the Yidel's Shopping Cart, Inc., D/B/A
9 Riverstone Group account.
10 [The document was hereby marked
11 as Plaintiff's Exhibit 17A for
12 identification, as of this date.]
13 Q. I'm going to ask you if your
14 signature appears on this document?
15 (Hanging.)
16 MR. LEVINE: (Perusing.)
17 A. (Perusing.)
18 I think so.
19 Q. What?
20 MR. LEVINE: He said, I think
21 so.
22 A. I think so.
23 Q. And on this document it says the
24 primary contact is Marty (Yehuda) Salamon,
25 Owner, and you gave an e-mail address of

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1 Y. Salamon
2 marty@ecommerce, E C O M M E R C E,
3 expand.com. Do you see that?
4 A. Yes.
5 Q. What is eCommerce?
6 A. It was when I wanted to try the
7 Jet. I told you, Jet. So I was trying to
8 make a different kind of e-mail address.
9 Q. Did eCommerce have a location
10 where it did business in 2016?
11 A. No. I don't remember.
12 MR. FIVESON: Please mark this
13 as 17B for identification.
14 [The document was hereby marked
15 as Plaintiff's Exhibit 17B for
16 identification, as of this date.]
17 Q. 17B is the complete document of
18 the redacted page you previously looked
19 at, 1C. 17B is the complete document and
20 it shows 2.5 million being wired to Mintz
21 Levin Cohn Ferris Glovsky. Do you see
22 that?
23 (Hanging.)
24 A. (Perusing.)
25 MR. LEVINE: He's asking you

<p style="text-align: right;">Page 142</p> <p>1 Y. Salamon 2 about this right here. 3 (Indicating.) 4 MR. FIVESON: Correct. 5 A. Yes. 6 Q. Who is that Mintz Levin firm? 7 A. I don't know why it was. 8 Q. Did they ever represent any of 9 your entities? 10 A. I don't know. 11 Q. Did you ever hear of the entity 12 R.S. Old Mill, LLC? 13 A. Yes. 14 Q. Were you ever a sole member of 15 that entity? 16 A. Yes. 17 Q. Did that money get wired to 18 Mintz Levin for the benefit of R.S. Old 19 Mill, LLC? 20 A. I don't know. 21 Q. Now, was that money, that 2.5 22 million, ever returned to you by Mintz 23 Levine? 24 A. I don't remember. 25 MR. FIVESON: Please mark these</p>	<p style="text-align: right;">Page 144</p> <p>1 Y. Salamon 2 or not Yidel's had a bank account there? 3 A. Right. 4 Q. Do you see the entry on Exhibit 5 18A that shows a wire transfer into the 6 account originate from Mintz Levin Cohn of 7 2.5 million dollars on November 10, 2016? 8 Do you see that? 9 A. I see it. 10 Q. Was that money received by 11 Yidel's on that date? 12 A. I don't know. 13 Q. And was that 2.5 million 14 transferred by Yidel's on November 25, 15 2016, to two accounts? 16 A. I don't remember. 17 Q. A million five to an account 18 ending in 2350, and a million to an 19 account 2347. Do you see that? 20 A. I see that. I don't remember. 21 Q. You don't recall? 22 A. No. 23 Q. Now, do you know what entity had 24 accounts ending in 2350 and 2347 on 25 November 25, 2016?</p>
<p style="text-align: right;">Page 143</p> <p>1 Y. Salamon 2 as Plaintiff's Exhibits 18 and 18A. 3 [The documents were hereby 4 marked as Plaintiff's Exhibits 18 and 5 18A for identification, as of this 6 date.] 7 MR. FIVESON: Off the record. 8 [Discussion held off the 9 record.] 10 Q. I want to show you Exhibit 18. 11 Do you recognize that bank statement? 12 (Handing.) 13 A. (Perusing.) 14 MR. LEVINE: Inclusive of 18A? 15 MR. FIVESON: Yes, the whole 16 document. It's one statement. 17 MR. LEVINE: Go ahead. 18 A. I don't remember. 19 Q. And did Yidel's Shopping Cart 20 Inc., D/B/A Riverstone Group, have a 21 checking account at Bank of America in 22 November of 2016? 23 A. I don't remember. 24 Q. And this document, Exhibit 18, 25 doesn't refresh your recollection whether</p>	<p style="text-align: right;">Page 145</p> <p>1 Y. Salamon 2 A. No. 3 Q. Do you know where that money is 4 today, the 2.5 million? 5 A. No. 6 MR. FIVESON: Please mark this 7 as Plaintiff's Exhibit 19 and 8 Plaintiff's Exhibit 20 for 9 identification. 10 [The documents were hereby 11 marked as Plaintiff's Exhibits 19 and 12 20 for identification, as of this 13 date.] 14 Q. Let me show you Exhibit 19, 15 which is a business signature card form 16 for the Bank of America, account title, 17 Riverstone U.S.A. Does your signature 18 appear on that document? 19 (Handing.) 20 A. (Perusing.) 21 No recollection. 22 Q. Do you know the name David 23 Salamon, S A L A M O N, who's here 24 director member of Riverstone U.S.A.? 25 A. Yes.</p>

37 (Pages 142 - 145)

<p style="text-align: right;">Page 146</p> <p>1 Y. Salamon 2 Q. Who is that? 3 A. My son. 4 Q. Who? 5 A. My son. 6 Q. Your son? 7 A. Yes. 8 Q. How old is David Salamon? 9 A. Twenty-five, about. 10 Q. What's his date of birth? 11 A. I don't know. 12 Q. Where does he live? 13 A. Rockland County. 14 Q. I'm sorry? 15 A. Rockland County. 16 Q. Where in Rockland County? 17 A. I don't remember the address. 18 Q. Do you know the town? 19 A. Monsey. 20 Q. Is that your son's signature on 21 Exhibit 19? 22 A. I don't know. 23 Q. Did you sign Exhibit 19 as your 24 son? 25 A. I don't remember.</p>	<p style="text-align: right;">Page 148</p> <p>1 Y. Salamon 2 Avenue? 3 A. Yes. 4 Q. That's your address, correct? 5 A. Yes. 6 Q. And did you get this bank 7 statement in your address? 8 A. I don't remember. 9 MR. FIVESON: Can we have this 10 marked as 20A for identification? 11 [The document was hereby marked 12 as Plaintiff's Exhibit 20A for 13 identification, as of this date.] 14 Q. Does 20A show the receipt of 1.5 15 million dollars into this account on 16 November 25, 2016 handing? 17 MR. LEVINE: (Perusing.) 18 Are you asking him to interpret 19 this document? 20 MR. FIVESON: It's a bank 21 statement which apparently was issued 22 to him. I want to know whether or not 23 it accurately shows receipt of that 24 money on that date. 25 MR. LEVINE: Objection to your</p>
<p style="text-align: right;">Page 147</p> <p>1 Y. Salamon 2 Q. Now, if we go back to Exhibit 3 18, the Bank of America record is in 4 Yidel's Shopping Cart D/B/A Riverstone 5 Group, and Exhibit 19 seems to be a 6 document in the name of Riverstone U.S.A. 7 Do you see that? 8 A. Yes. 9 Q. Is there any connection between 10 Riverstone Group and Riverstone U.S.A.? 11 MR. LEVINE: Objection to form. 12 You can answer. 13 MR. FIVESON: That he knows of. 14 A. I don't know. 15 Q. Is there a separate entity 16 Riverstone U.S.A. separate from Riverstone 17 Group? 18 A. I don't know. 19 Q. I would like to show you Exhibit 20 20, which appears to be a Bank of America 21 statement for November of 2016, for 22 Riverstone U.S.A., LLC. Do you see that? 23 A. Yes. 24 Q. And you see the address for 25 Riverstone U.S.A., LLC is 4921 12th</p>	<p style="text-align: right;">Page 149</p> <p>1 Y. Salamon 2 characterization of what this is. 3 However, if you're asking him if this 4 document reflects a 1.5 million 5 dollar - 6 MR. FIVESON: Receipt into that 7 account. I'll adopt that question, 8 Counselor. 9 MR. LEVINE: Receipt into this 10 account? 11 MR. FIVESON: Correct. 12 MR. LEVINE: The account that's 13 reflected in 20A? 14 MR. FIVESON: Correct. 15 A. I have no clue. 16 MR. LEVINE: No, he's asking you 17 what does it say. Can you see what it 18 says? 19 THE WITNESS: No. 20 Q. Do you have a recollection of 21 receiving 1.5 million dollars in the 22 Riverstone U.S.A., LLC Bank of America 23 account ending in 2350, on November 25, 24 2016? 25 A. No.</p>

38 (Pages 146 - 149)

<p style="text-align: right;">Page 150</p> <p>1 Y. Salamon 2 MR. FIVESON: Can I have this 3 marked as Plaintiff's Exhibit 21? 4 [The document was hereby marked 5 as Plaintiff's Exhibit 21 for 6 identification, as of this date.] 7 MR. FIVESON: Exhibit 21 is a 8 four-page bank statement for Bank of 9 America to the Riverstone U.S.A., LLC, 10 for account ending in 2347, and it's 11 dated November of 2016. 12 Q. I ask if you've ever received 13 that statement? 14 MR. LEVINE: If he personally? 15 MR. FIVESON: It's for a 16 different account, Counsel. 17 MR. LEVINE: Give me one second 18 here. 19 (Perusing.) 20 MR. LEVINE: The question is, 21 do you recall receiving this 22 statement? 23 A. (Perusing.) 24 I don't remember. 25 Q. Are you the owner of Riverstone</p>	<p style="text-align: right;">Page 152</p> <p>1 Y. Salamon 2 Q. Do you recall that -- 3 A. No. 4 Q. -- receipt of monies? 5 A. No. 6 Q. This Exhibit 21A records wiring 7 out of the account 1.5 million dollars to 8 Commonwealth Land Title. Do you see that? 9 A. (Perusing.) 10 Q. On November 28th? 11 A. (Perusing.) 12 I see it. 13 Q. Was 1.5 million wired out on 14 that date to Commonwealth? 15 A. That's what it says. 16 Q. Well, do you recall that? 17 A. No. 18 Q. Do you deny that that's what 19 occurred? 20 MR. LEVINE: Objection to form. 21 A. I don't know what it is. I 22 don't remember. 23 Q. Going back to Exhibit 20A, this 24 shows on November 25th, one million 25 dollars being wired to Commonwealth Land</p>
<p style="text-align: right;">Page 151</p> <p>1 Y. Salamon 2 U.S.A., LLC? 3 A. I don't remember. 4 Q. Do you know who is the owner? 5 A. I don't know. 6 Q. Is that LLC still in existence 7 today? 8 A. I don't know. 9 MR. FIVESON: Can I please have 10 this marked as Plaintiff's Exhibit 11 21A. 12 [The document was hereby marked 13 as Plaintiff's Exhibit 21A for 14 identification, as of this date.] 15 Q. This bank statement shows 16 receipt into this account 2347 of one 17 million dollars on November 25, 2016. I'm 18 referencing Exhibit 21A. Do you see that? 19 MR. LEVINE: Does he see that it 20 reflects such a deposit? 21 MR. FIVESON: Yes, wire transfer 22 in. 23 A. If I see? 24 Q. Yes. 25 A. I see it, yes.</p>	<p style="text-align: right;">Page 153</p> <p>1 Y. Salamon 2 Title. Do you see that? 3 A. (Perusing.) 4 Yes. 5 Q. Did that occur? 6 A. I don't know. 7 Q. Well, do you know why 8 two-and-a-half million dollars would be 9 wired out of the Riverstone U.S.A., LCC 10 account on November 25, 2016, to go to 11 Commonwealth Land Title? 12 A. I don't remember. 13 Q. Did Commonwealth Land Title act 14 as the title agent for the purchase of a 15 property from Novartis Corporation by R.S. 16 Old Mill, LLC? 17 A. I don't remember. 18 Q. Was not Commonwealth Land Title 19 acting as an escrow agent on behalf of 20 R.S. Old Mill, LLC, to hold two-and-a-half 21 million dollars as an earnest money 22 deposit for the purchase of that property? 23 A. I don't remember. 24 Q. Do you recall being present at a 25 closing on September 1, 2017, where R.S.</p>

39 (Pages 150 - 153)

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1 Y. Salamon
2 Old Mill, LLC, purchased from Novartis
3 Corporation a property up in Suffern, New
4 York, in the amount of 18 million dollars?
5 MR. LEVINE: Hold on. I've been
6 letting you get a great deal of
7 leeway. What does that have to do
8 with this case?
9 MR. FIVESON: Well, it has to do
10 with the accounting that he gave. He
11 gave an accounting as to where the
12 monies were and we never got the
13 accounting. He never disclosed in his
14 accounting where the monies went. And
15 now we have two-and-a-half million
16 dollars going into this property.
17 MR. LEVINE: No, you don't. And
18 what happened in a transaction in
19 November of 2017, approximately, has
20 nothing to do with this case. I'm
21 going to terminate this line of
22 inquiry now.
23 MR. FIVESON: Just so it's
24 clear, I don't want to argue on the
25 record, you were directing him not to

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1 Y. Salamon
2 answer any questions regarding the use
3 of the two-and-a-half million dollars,
4 which were loan proceeds wired into
5 the Signature Bank account to Mintz
6 Levin refunded to the Bank of America
7 account, then transferred to his
8 company, Riverstone Group, and then
9 into Commonwealth.
10 MR. LEVINE: I don't accept the
11 premise of your statement.
12 MR. FIVESON: Let's assume what
13 I'm saying is true --
14 MR. LEVINE: I can't assume
15 it's true, because it's not.
16 MR. FIVESON: So you're not
17 going to let him answer any questions
18 regarding --
19 MR. LEVINE: You're asking him a
20 question about a 2017 transaction that
21 has nothing to do with the pleadings
22 in this case. Your deposition is
23 limited to the pleadings in this case.
24 Therefore, the question itself is not
25 asking for relevant information or

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1 Y. Salamon
2 information that would lead to
3 relevant information.
4 MR. FIVESON: Just so it's
5 clear, I'm asking for the disposition
6 of two-and-a-half million dollars of
7 loan proceeds from my loan that now
8 have been transferred into -- traced
9 into the Commonwealth escrow account,
10 who was the escrow agent for the
11 purchase of that property. And I want
12 to know whether or not that property
13 was consummated and whether or not
14 those monies were used to pay for the
15 purchase of the property.
16 MR. LEVINE: I don't accept your
17 premise, number 1. And number 2, what
18 is the difference where the loan
19 proceeds went?
20 MR. FIVESON: Well, he was
21 ordered to give an accounting and we
22 never got the accounting and a motion
23 for contempt was denied without
24 prejudice to renew, because the judge
25 said, do discovery. He didn't give us

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1 Y. Salamon
2 an accounting.
3 So I'm not going to argue. If
4 you're going to instruct him not to
5 answer, I'll get a ruling and we'll
6 have a judge decide and we'll come
7 back, but I'm telling you where I'm
8 going. So you tell me what you want
9 to do.
10 MR. LEVINE: I'm telling you
11 that I will not allow him to answer
12 questions regarding a 2017 transaction
13 that has nothing to do with the
14 pleadings in this case.
15 MR. FIVESON: So I'm going to
16 reserve as to that.
17 And you're not going to let him
18 identify his signature on any
19 pleadings in connection with that
20 transaction? There was a --
21 MR. LEVIN: No, no. What do you
22 mean pleadings?
23 MR. FIVESON: Well, there was a
24 lawsuit filed in Rockland County by
25 Old Mill in connection with that

<p style="text-align: right;">Page 158</p> <p>1 Y. Salamon 2 transaction. 3 MR. LEVINE: You can ask him 4 about his signature on the document. 5 I have no problem with that. 6 MR. FIVESON: Fine. 7 So let's mark this as 8 Plaintiff's Exhibit 22 and Plaintiff's 9 Exhibit 22A for identification. 10 [The documents were hereby 11 marked as Plaintiff's Exhibits 22 and 12 22A for identification, as of this 13 date.] 14 Q. I'm going to show you what's 15 been marked as Exhibit 22, which appears 16 to be a summons and complaint filed in 17 Rockland County, under index number 18 030713/2017. I'm going to ask you if you 19 can identify it. And then I'm going to 20 ask you about Exhibit 22A, whether that's 21 your signature. 22 MR. LEVINE: Can I see that, 23 please? 24 MR. FIVESON: (Handing.) 25 MR. LEVINE: (Perusing.)</p>	<p style="text-align: right;">Page 160</p> <p>1 Y. Salamon 2 Q. Well, does it look like your 3 signature? 4 A. Yes. 5 MR. FIVESON: Let's have these 6 marked as Plaintiff's Exhibits 23 and 7 23A for identification. 8 [The documents were hereby 9 marked as Plaintiff's Exhibits 23 and 10 23A for identification, as of this 11 date.] 12 Q. Is 23 your declaration filed in 13 the R. S. Old Mill bankruptcy, and is 23A 14 your signature? 15 (Handing.) 16 A. (Perusing.) 17 MR. LEVINE: The yellow 18 highlighting does not appear on the 19 original -- 20 MR. FIVESON: It doesn't matter. 21 MR. LEVIN: -- correct? 22 MR. FIVESON: Correct. 23 MR. LEVINE: (Perusing.) 24 (Handing.) 25 Is this your declaration and do</p>
<p style="text-align: right;">Page 159</p> <p>1 Y. Salamon 2 Okay. 3 (Handing.) 4 A. (Perusing.) 5 MR. LEVINE: Do you recognize 6 the document is the first thing that 7 he's asking you? 8 Q. Do you recognize the document? 9 A. (No verbal response.) 10 MR. LEVINE: I think he's still 11 looking at it. 12 MR. FIVESON: I'm sorry. 13 A. (Perusing.) 14 Yes. 15 Q. What is the document? 16 A. What do you mean? 17 Q. It's a complaint filed by R.S. 18 Old Mill? 19 A. Yes. 20 Q. And did you sign Exhibit 22A, 21 which is the verification to that 22 document? 23 (Handing.) 24 A. (Perusing.) 25 Probably.</p>	<p style="text-align: right;">Page 161</p> <p>1 Y. Salamon 2 you recognize the signature, are the 3 questions. 4 A. (Perusing.) 5 The signature doesn't look like 6 mine. I don't know. 7 Q. Do you deny that that's your 8 signature on 23A? 9 A. I don't deny that's my 10 signature. It doesn't look like my 11 signature. 12 Q. Well, do you recall signing that 13 document? 14 A. (Perusing.) 15 I don't remember. 16 MR. FIVESON: Please mark these 17 as Plaintiff's Exhibits 24 and 24A. 18 [The documents were hereby 19 marked as Plaintiff's Exhibits 24 and 20 24A for identification, as of this 21 date.] 22 MR. FIVESON: Counsel. 23 (Handing.) 24 MR. LEVINE: (Perusing.) 25 And for the record, I'm allowing</p>

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<p style="text-align: right;">Page 162</p> <p>1 Y. Salamon 2 you to show him documents and identify 3 his signature. I'm not waiving any 4 objection to relevancy. 5 MR. FIVESON: I agree with that. 6 MR. LEVINE: (Hanging.) 7 That document is in front of the 8 witness, Exhibit 24. 9 Q. Do you recognize 24? 10 A. (Perusing.) 11 I don't remember. 12 Q. I want to show you the signature 13 page, 24A. It's signed by a Yoel Kaufman. 14 Do you see that? 15 A. Yes. 16 Q. Is that your signature? 17 A. No. 18 Q. Are you known as Yoel Kaufman? 19 A. No. 20 Q. Do you know who that person is? 21 A. Yes. 22 Q. Who is he? 23 A. He was involved with me. 24 Q. Well, is he a member of R.S. Old 25 Mill?</p>	<p style="text-align: right;">Page 164</p> <p>1 Y. Salamon 2 Q. Did you sign Exhibit 25? 3 (Indicating.) 4 A. Looks like. 5 Q. And is this the statement of the 6 monthly operating expenses for R.S. Old 7 Mill for June of 2017? 8 (Hanging.) 9 A. (Perusing.) 10 That's what it says. 11 MR. FIVESON: Please mark these 12 as Plaintiff's Exhibits 26 and 26A for 13 identification. 14 [The documents were hereby 15 marked as Plaintiff's Exhibits 26 and 16 26A for identification, as of this 17 date.] 18 Q. I want to show you Exhibit 26. 19 I'm going to ask if you recognize the 20 document and whether or not your signature 21 appears on 26A? 26 appears to be an 22 agreement, dated November 28, 2016 that 23 was Exhibit 26. 24 (Hanging.) 25 MR. LEVINE: (Perusing.)</p>
<p style="text-align: right;">Page 163</p> <p>1 Y. Salamon 2 A. I don't remember. 3 Q. Do you know his address? 4 A. No. 5 Q. How was he involved with you? 6 A. He helped me out. 7 Q. What did he do? 8 A. I don't remember. 9 MR. FIVESON: Please mark this 10 as Exhibit 25 for identification. 11 [The document was hereby marked 12 as Plaintiff's Exhibit 25 for 13 identification, as of this date.] 14 Q. I'm going to show you what's 15 been marked as Exhibit 25, which is a 16 monthly operating statement for R.S. Old 17 Mill, LLC. Do you recognize the document? 18 (Hanging.) 19 MR. LEVINE: (Perusing.) 20 (Hanging.) 21 Okay. 22 A. (Perusing.) 23 Yes. 24 Q. What is the document? 25 A. What do you mean?</p>	<p style="text-align: right;">Page 165</p> <p>1 Y. Salamon 2 (Hanging.) 3 So do you recognize the 4 document, number 1? 5 THE WITNESS: (Perusing.) 6 I don't remember. 7 Q. Do you recognize your signature 8 on page 26A? 9 A. Looks like my signature. 10 MR. FIVESON: With the questions 11 that I left open, I think there was 12 one subject you and I discussed about 13 the post closing transaction. 14 MR. LEVINE: What post -- okay. 15 MR. FIVESON: We talked about a 16 closing in 2017 and you said you are 17 not going to let him answer any 18 questions about that transaction. 19 MR. LEVINE: On a separate 20 transaction. 21 MR. FIVESON: Right. Other than 22 that, and with regard to two other 23 items that he was instructed not to 24 answer, I'm done with this 25 examination.</p>

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1 Y. Salamon
 2 MR. LEVIN: I don't have any
 3 cross-examination.
 4 Off the record.
 5 [Discussion held off the
 6 record.]
 7 [TIME NOTED: 3:00 p.m.]
 8

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YEHUDA SALAMON

11 Subscribed and sworn to
 12 before me this _____
 13 day of _____, 2018.
 14 _____

Notary Public

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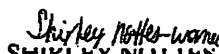
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<p>1</p> <p>2 EXHIBITS: (continued)</p> <p>3</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 60%;">PLAINTIFFS DESCRIPTION</th> <th style="text-align: left; width: 40%;">PAGE</th> </tr> </thead> <tbody> <tr> <td>Exhibit 24 Document</td> <td>161</td> </tr> <tr> <td>Exhibit 24A Signature page</td> <td>161</td> </tr> <tr> <td>Exhibit 25 Document</td> <td>163</td> </tr> <tr> <td>Exhibit 26 Document</td> <td>164</td> </tr> <tr> <td>Exhibit 26A Signature page</td> <td>164</td> </tr> </tbody> </table> <p>9</p> <p>10 Attorney has retained all exhibits.</p> <p>11</p> <p>12</p> <p style="text-align: center;">INSERTIONS</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 30%;">Page</th> <th style="text-align: left; width: 30%;">Line</th> <th style="width: 40%;"></th> </tr> </thead> <tbody> <tr> <td>10</td> <td>22</td> <td></td> </tr> <tr> <td>17</td> <td>12</td> <td></td> </tr> </tbody> </table> <p style="text-align: center;">RULINGS</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 30%;">Page</th> <th style="text-align: left; width: 30%;">Line</th> <th style="width: 40%;"></th> </tr> </thead> <tbody> <tr> <td>157</td> <td>3</td> <td></td> </tr> <tr> <td>157</td> <td>17</td> <td></td> </tr> </tbody> </table> <p>25</p>	PLAINTIFFS DESCRIPTION	PAGE	Exhibit 24 Document	161	Exhibit 24A Signature page	161	Exhibit 25 Document	163	Exhibit 26 Document	164	Exhibit 26A Signature page	164	Page	Line		10	22		17	12		Page	Line		157	3		157	17		<p>1</p> <p>2 ERRATA SHEET</p> <p style="text-align: center;">VERITEXT LEGAL SOLUTIONS</p> <p>3</p> <p>CASE NAME: GALSTER FUNDING, LLC v SALAMON,</p> <p>4 YIDEL'S SHOPPING CART, INC., et al.</p> <p>DATE OF DEPOSITION: July 2, 2018</p> <p>5 WITNESS NAME: YEHUDA SALAMON</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 30%;">PAGE/LINE(S)</th> <th style="text-align: left; width: 30%;">CHANGE</th> <th style="text-align: left; width: 40%;">REASON</th> </tr> </thead> <tbody> <tr><td>7</td><td></td><td></td></tr> <tr><td>8</td><td></td><td></td></tr> <tr><td>9</td><td></td><td></td></tr> <tr><td>10</td><td></td><td></td></tr> <tr><td>11</td><td></td><td></td></tr> <tr><td>12</td><td></td><td></td></tr> <tr><td>13</td><td></td><td></td></tr> <tr><td>14</td><td></td><td></td></tr> <tr><td>15</td><td></td><td></td></tr> <tr><td>16</td><td></td><td></td></tr> <tr><td>17</td><td></td><td></td></tr> </tbody> </table> <p>18</p> <p>19</p> <p>20 YEHUDA SALAMON</p> <p>21 SUBSCRIBED AND SWORN TO</p> <p>BEFORE ME THIS _____ DAY</p> <p>22 OF _____, 2018.</p> <p>23</p> <p style="text-align: center;">NOTARY PUBLIC</p> <p>24 MY COMMISSION EXPIRES _____</p> <p>25</p>	PAGE/LINE(S)	CHANGE	REASON	7			8			9			10			11			12			13			14			15			16			17		
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<p style="text-align: right; padding-right: 5px;">Page 171</p> <p>1</p> <p style="text-align: center;">CERTIFICATION</p> <p>3</p> <p>4 I, Shirley Nottes-Werner, a Notary</p> <p>5 Public for and within the State of New</p> <p>6 York, do hereby certify:</p> <p>7 That the witness whose testimony as</p> <p>8 herein set forth, was duly affirmed by me;</p> <p>9 and that the within transcript is a true</p> <p>10 record of the testimony given by said</p> <p>11 witness.</p> <p>12 I further certify that I am not</p> <p>13 related to any of the parties to this</p> <p>14 action by blood or marriage, and that I am</p> <p>15 in no way interested in the outcome of</p> <p>16 this matter.</p> <p>17 IN WITNESS WHEREOF, I have hereunto</p> <p>18 set my hand this 13th day of July, 2018.</p> <p>19</p> <p>20</p> <p>21</p> <p style="text-align: center;">  SHIRLEY NOTTES-WERNER </p> <p>23</p> <p>24</p> <p>25</p>	Empty space for page 172 content																																																																		

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New York Code

Civil Practice Law and Rules

Article 31 Disclosure, Section 3116

(a) Signing. The deposition shall be submitted to the witness for examination and shall be read to or by him or her, and any changes in form or substance which the witness desires to make shall be entered at the end of the deposition with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness before any officer authorized to administer an oath. If the witness fails to sign and return the deposition within sixty days, it may be used as fully as though signed. No changes to the transcript may be made by the witness more than sixty days after submission to the witness for examination.

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COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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